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# **CITIZEN AND THE MUNICIPAL GOVERNMENT**

**( A study in administrative functioning and  
processes of the Building Department  
of the Delhi Municipal Corporation )**

Indian Institute of Public Administration  
Centre for Trg. & Res. in Mun. Adm.

## **A SURVEY REPORT**

By

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1968



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## FOREWORD

The current study is one of a series of studies on the Local Government in Delhi, which the Institute proposes to carry out. We believe that problem-oriented research studies of this nature are very useful both from the viewpoint of the Institute as well as the Organisation studied.

Prior to this assignment, the Institute had undertaken a study relating to the experience of Delhi citizens in getting water connections. The results of that study were very useful and the Corporation simplified the procedures for getting water connections and also published a brochure for the information of the citizens. In view of the encouraging results of that study, the Ministry of Home Affairs asked the Institute "to make a survey of the Building Department of the Corporation". This survey was required to examine the existing "procedures that the applicants for house construction had to follow, the time taken by the Corporation in sanctioning the Building plans, the difficulties experienced by the public in getting sanction of the plans and the remedial measures for removing these difficulties". These were the terms of reference, but, for a fuller understanding of the subject we have included in our

study an examination of the ~~complementary~~ processes of inspection during construction and the procedures for the issue of completion certificates.

The image which a citizen forms of the Government as a whole is based upon his personal experiences particularly in his day to day contacts with the Local Authorities. A citizen is more concerned with the type of transport that is available to him, the type of parks, gardens and other facilities which he can avail of, the procedures through which he has to go before he can construct a house, obtain a water or power connection, etc. From this point of view, the all-important governmental agency for the citizen obviously is the Local Administration. The significance of the research study that we have undertaken and the results of which are described in the succeeding chapters have to be seen in this light. We hope that our Report will be widely read and commented upon by the citizens for whose benefit it was primarily undertaken and written.

I.I.P.A.,  
New Delhi-1.

April, 1968.

(J.N. Khosla)  
Director.

## A C K N O W L E D G E M E N T S

The present study owes its genesis to the interest evinced by the Ministry of Home Affairs in studying some aspects of the citizen - administration relationship in the Delhi Municipal Corporation. Our thanks are due to the Ministry of Home Affairs for financing and facilitating the study. We wish to thank the Director of the Institute, Dr. J.N. Khosla, for his active interest and guidance at every stage of the Project.

Our thanks are also due to the officers and staff of the Delhi Municipal Corporation in general and of the Building Department in particular for their cooperation in conducting the study. We like to express our gratitude to the many citizens who cooperated in responding to our questionnaire.

We would be failing in our duty if we do not express our thanks to Prof. G. Mukherjee and Shri V.M. Kulkarni, who have read the draft report and who gave us the benefit of their valuable comments.

Our thanks are due to the research staff consisting of Sarvashri Narayan Murthy, Sitaram and Kumari A. Vageeswari for their excellent work. They willingly bore the brunt of field work during the hot weather.

Our thanks are also due to our Stenographer, Shri Krishna Murthi, and our Typist, Shri Chandan Lal for their able services in connection with the writing of this report. The administrative staff of the Institute deserve our thanks for their able services.

I.I.P.A., V. Jagannadham

New Delhi-1.

N.S. Bakshi

25th May, 1968.

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## I N T R O D U C T I O N

Before 1912, Delhi was the Headquarters of a Division which had been constituted after the annexation of Delhi by the British. This Division comprised the Districts of Simla, Hissar, Rohtak, Delhi, Ambala, Karnal and Gurgaon. In 1912, a separate Delhi Province was constituted by dissolving the Delhi District and transferring Sonapat Tehsil to the Rohtak District and parts of the Ballabhgarh Tehsil to the Gurgaon District. This Province consisted of the remaining parts of the Ballabhgarh Tehsil and the Sonapat Tehsil. Later on, the Province was enlarged by the addition of some territory from the Meerut District and its total area at that time was 593 sq. miles. The total area of the Union Territory of Delhi communicated by the Surveyor General of India and accepted for the purposes of the 1961 census calculations is 573 sq. miles.

The enforcement by the Government of India of the Part 'C' States Act changed the status of Delhi Province and it became a Part 'C' State with a Legislative Assembly of its own, on March 17, 1952. Following the reorganisation of States and the abolition of Part 'C' States, Delhi became a Union Territory with effect from 1st November, 1956.

Article 239 of the Constitution of India relating to the administration of the Union Territories provides that "every Union Territory shall be administered by the President, acting, to such extent as he thinks fit, through an administrator to be appointed by him with such designation as he may specify". Under this provision, Delhi was administered until recently by a Chief Commissioner as the Administrator of the territory.

A new administrative set-up for the Union Territory of Delhi under the Delhi Administration Act, 1966, was introduced on 7th September, 1966, and under this new arrangement, Delhi has a directly elected body called the Metropolitan Council, the Administrator has been designated as the Lt. Governor of Delhi. The avowed purpose of creating the Metropolitan Council with Executive Councillors as a sort of Cabinet for the Lt. Governor is to satisfy the democratic aspirations of this cosmopolitan City which is also the nation's capital city. However the powers of the Metropolitan Council are restricted and the Council has only the right to discuss and make recommendations. The Executive Councillors are appointed by the President from among the elected councillors, to assist and

advise the Administrator and the Metropolitan Council has no power to remove them. The recommendations of the Executive Councillors are required to be forwarded to the Lt. Governor and in case of difference of opinion between the Administrator and the Executive Councillors on any matter, the Administrator is required to refer it to the President for decision. Thus the Administrator appointed by the President has wide powers of control over the administrative set-up in Delhi.

Delhi has been growing at a very fast pace in recent years and this has brought in its wake a variety of problems. The total population of the Union Territory according to the 1961 census was a little over 2.65 millions. The current estimates of population vary from 3.5 million to 3.8 million. The Master Plan estimated that Delhi's population will reach 4.5 million by 1981. However, the rate of growth and influx of population has been about 2,00,000 per year instead of 1,00,000 which was the estimated figure for the purposes of preparing the Master Plan. If the population continues to increase at the present rate, Delhi's population in 1981 is likely to be 6 million and not 4.5 million. Various factors have contributed to the growth of

Delhi's population, some of them being the establishment of the Capital of Imperial India in New Delhi, the partition of India in 1947, which brought a huge influx of refugees to Delhi, and then Delhi becoming the seat of the ~~Sovereign~~ <sup>Sovereign</sup> Democratic Republic of India.

The growth of Delhi's population has been accompanied by rapid urbanization of Delhi. According to the 1961 census, "the urban population constituted 82.40 per cent of the total population of the Union Territory in 1951. The corresponding percentage rose to 88.75 per cent in 1961. During the decade 51-61, the percentage increase of the urban population of Delhi was 64.17 per cent. It is noteworthy that in the whole of India, Delhi had the highest percentage of urban population both in 1951 as well as in 1961. In India as a whole, the urban population formed 17.35 per cent of the total population in 1951 and 17.97 per cent in 1961. During the decade 51-61, India recorded an increase of 26.22 per cent in its urban population". (From Census of India, 1961, Delhi District Census Hand-Book, page 15/16).

Housing has remained one of the most critical problems of the Capital. The implementation of the Master Plan which was intended to resolve the housing problem in the larger context of Delhi's planned physical development, has been progressing at a very slow pace. The efforts of the Delhi Development Authority, the Housing Department of the Delhi Administration the Municipal Corporation of Delhi and the New Delhi Municipal Committee have not made much headway in resolving the housing problem in Delhi and now, it is estimated that there is a backlog of about 2 lakh dwelling units in Delhi.

In a city where population has been expanding rapidly, the problem of housing shortage cannot possibly be solved by the housing programmes of the Municipal Corporation, the Delhi Development Authority or any other Government Agency. These agencies can only help in providing land at reasonable rates to the citizens and to simplify the procedures so as to encourage the citizens to construct private houses. The organisation and functioning of the Building Department has thus to be evaluated from the standpoint of the overall perspective and interest of the Municipal Corporation and secondly, from the standpoint of the satisfaction



of the citizens' needs. The inability to cope up with the demand for housing has led to the twin problems of 'squatting' on public land and also to unauthorised constructions. The failure to solve one set of problems is leading to accentuation and accumulation of old and new problems respectively. The absence of a proper policy and its administration as regards the easy availability of land at reasonable predetermined rates is also a contributory factor for the shortage of houses in Delhi. However, since the land policy is not part of our terms of reference we have not dwelt upon this problem in our report.

CHAPTER - I

The Problem:

The main purpose of this study is to describe the present working of the Building Department and to pin-point the deficiencies in the existing procedures through which a citizen has to go before he can get his building plans sanctioned or completion certificates issued for residing in the building which he has constructed. When this Project was assigned to us, we had to decide what methodology to adopt for fulfilling the objectives of this study. After a study of the Building Department and its existing procedures, we felt that it was necessary to find out as to how the citizens in Delhi were reacting to the existing system and what was their opinion regarding delays, alleged mal-practices, corruption, etc. We have carried out a sample survey in the Shahdara, New Delhi South and West Zones of the Delhi Municipal Corporation. The population in these three Zones, we hope, represents a cross-section of the people living in Delhi. The survey was carried out with the help of a questionnaire (Annexure I) administered by our study team. We have also interviewed officers

of the Building Department of the Delhi Municipal Corporation on the basis of a separate questionnaire (Annexure II). The procedures which a citizen has to follow for constructing a house in Delhi have been studied from the angle of the officers of the Department, as well as of the citizens; these were also examined from the actual records of the Corporation. The results of this three-pronged study form the contents of this Report. We had also contacted the registered architects because the building plans are required to be submitted through licenced architects. The views of the registered architects of the Corporation on the existing set-up of the Building Department have also been taken into consideration while preparing this Report.

The Sample :

We have confined our study to an examination of the building plans during the year 1964-65 and 65-66 as these are the latest in time and about which data is available. The Building Department of the Municipal Corporation of Delhi supplied the data pertaining to the number of building plans submitted, number of building plans sanctioned, the number of completion certificates applied for

and issued during the years 1964-65 and 1965-66 (Annexure III). When we started the study, the data for 1966-67 was not available, and we decided to exclude this period from our sample. A preliminary study of the data made it clear that there are three zones of the Corporation, viz. South Delhi, West Delhi and Shahdara Zone in which there has been maximum construction during the years 1964-65 and 1965-66. As such, it was decided to draw a sample for this study from the total population of these three zones only. Though the total population, according to the Corporation figures for building plan applications, amounted to 15,554, yet, when we examined the registers in detail, we found that there was a great deal of overlapping of numbers as well as missing numbers and hence, the total as given by the Corporation was not correct. The registers of the three zones were treated as a single register for the purposes of drawing the sample and starting with the random number of 12, we picked up every 34th number in so far as building plan sanctions were concerned. On the basis of the total population that had been supplied to us, we decided to interview 430 citizens which, in our opinion, would give us a representative sample.

The expectation that the three zones of the Corporation will provide us with a representative sample appears to be fully justified by the background information which we have collected from the respondents. This information shows that the sample is made up of people belonging to different age, education, income and occupational groups. Table I gives the age-group distribution.

TABLE - I

Percentage Distribution of People  
according to their Age

	%
20 - 30 years	9.0
31 - 40 years	33.0
41 - 50 years	30.0
51 - 60 years	20.0
61 & above	8.0
	<hr/> 100.0 <hr/>

The possible occupations which a house-owner could have, were broken into Government Service, private service, business, retired life, housewife and unemployed. Occupation-wise distribution of the respondents is given in Table II:

TABLE - II

Percentage Distribution of People  
according to their Occupation

	<u>%</u>
Government Service	25.7
Private Service	27.0
Business	29.5
Retired	11.0
House-wives	6.0
Unemployed	1.5
	<u>100.0</u>

The data on income (Table III) shows that the sample is a representative one as the respondents belonged to income groups ranging from less than Rs.200/- per month to more than Rs.1,000/-per month. \*

TABLE - III

Percentage Distribution of People  
according to their Incomes

	<u>Percentage</u>
Less than 200	8.0
201 - 400	23.0
401 - 600	17.0
601 - 800	12.0
801 - 1000	10.0
1001 & above	21.0
No Income	<u>9.0</u>
	<u>100.0</u>



An interesting point in the study of incomes was that 38% of the respondents in the South Zone belonged to Rs.1,000/- and above income category, whereas 55% of the respondents in the Shahdra Zone had an income of less than Rs.400/- (Table IV)

TABLE - IV

Zonal-wise percentage Distribution of  
People according to their Incomes

	Less than.	Rs.201-400.	Rs.401-600.	Rs.601 - 800.	Rs.801 - 1000.	Rs.1001+	No In-come.	Refusal
West Zone	8%	26%	18%	17%	8%	13%	8%	2%
South Zone	1%	15%	15%	7%	13%	38%	11%	-
Shahdra	26%	29%	22%	8%	7%	4%	4%	-
Total	7%	23%	17%	12%	9%	21%	9%	1%

As in the case of incomes, similarly in the field of Education also, the levels of education show (Table V) that the sample was fairly representative.

TABLE - V

Percentage Distribution of People  
according to their Education

	%
Primary	10.0
Middle	11.0
High School	15.0
Higher Secondary	17.0
Diploma-holders	7.0
Graduates	31.0
Post-Graduates	6.0
No Education	3.0
	<hr/> 100.0 <hr/>

In so far as the religion of the respondents is concerned, it was found that 81.0% of the sample were Hindus, whereas 18% were Sikhs and 1% belonged to other minority communities. One fact to be noticed in this connection is that though Delhi has been expanding rapidly in all directions, yet, no Muslim figures in our sample. This could possibly mean that the minority community continues to live in the areas which were established long ago.

Background of the respondents:

49% of the respondents said that they had been residents of Delhi for the last 16 to 20 years, 20%



had been in Delhi for more than 20 years, 5.0% had come to Delhi during the last 5 years, 10.0% had settled in Delhi during the last 5 to 10 years, whereas 14% fell into the category of 11-15 years, 1% of the respondents are not residents of Delhi at all. About the same number said they are permanent residents of Delhi.

The majority of the respondents had acquired land only during the last 10 years, 44% of the respondents had purchased land during the last 5 years, 31% during the last 10 years, 19% had acquired it about 11-15 years ago and a small percentage of 5% claimed that they had purchased land over 15 years ago and 1.0% of the sample said that they did not remember exactly as to when they purchased the land.

The area of the plots varied from less than 100 sq. yards to 600 sq. yards and above. 19.5% of the plots measured between 100 to 150 sq. yards, 25% plots measured between 151-200 sq. yards, 15% were between 201-250 sq. yards, 19.5% between 251-300 sq. yards and 13.5% / Only 2 plot-holders of the respondents had plots between 350-500 sq. yds. had an area of less than 100 sq. yards. 6.5% of our respondents owned plots of more than 600 sq. yards.

Likewise, the price which the respondents had paid for their plots also varied from individual to individual and from zone to zone. The table (Table VI) given below indicates the price range and percentage of plot-holders falling in each category.

TABLE - VI

Percentage Distribution of People  
according to the price paid for  
sq. yards.

<u>Price per sq. yards</u> <u>in Rupees</u>	<u>West</u> <u>Zone</u>	<u>South</u> <u>Zone</u>	<u>Shahdra</u> <u>Zone</u>	<u>Total</u>
Less than 20 per yd.	39%	32.5%	48%	38%
Rs. 21-30 per yd.	19%	15.0%	30%	19%
Rs. 31-50 per yd.	25%	22.5%	22%	24%
Rs. 51-75 per yd.	8%	15.0%		10.0%
Rs. 76-100 per yd.	3%	2.5%		2.0%
More than Rs. 100	2%	5.0%		3.0%
Don't Remember	3%	2.5%		2.0%
Lease Basis	1%	5.0%		2.0%

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CHAPTER - II

Building Department

The main functions of the Building Department are:

1. Scrutinising the building plans submitted by the public;
2. Supervising the private building constructions and ensuring that the construction is according to sanctioned plans and that there is no encroachment on the public property, and
3. Issue of completion certificate after the building has been completed, and
4. To check and control unauthorised constructions.

These functions are to be performed in accordance with the provisions of the Municipal Corporation Act of 1957 and the Delhi Municipal Corporation (Building) Byelaws, 1959 to which certain amendments have been made in 1964 (vide Delhi Administration Notification dated 13th April, 1964). The powers of control over building operations which are exercised by the various Authorities in Delhi are, we presume, given to them with a three fold purpose:

- 1) to provide for proper location of buildings and industry and the best use of the land,

- ii) to provide amenities and to regulate the flow of labour and materials during time of shortages according to the importance of the work, and
- iii) to secure better standards of design and construction in buildings, to ensure safety and health of the occupants.

Evolution of Building Bye-laws in Delhi:

Bye-laws to regulate the construction of buildings in Delhi were introduced for the first time in 1915.<sup>(1)</sup> These bye-laws were prepared by the Delhi Municipal Committee under Section 189(3) and 190 of the Punjab Municipal Act of 1911 as applied to Delhi. Any person who intended to erect or re-erect any building was required to give notice in writing of his intention to do so in a prescribed form and he was also required to submit a site plan, a building plan and other details, such as the number of storeys, the position and dimensions of doors, windows, the number of latrines, the purpose for which the building was to be used and the materials to be used in the construction of walls. The plans were required to be submitted in duplicate, and there was no restriction as to who should

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(1). Chief Commissioner's Notification No. 3558-  
Education dated 28th May, 1915.



prepare the plans. Even an authorised agent of the owner could apply for the construction or re-construction of an existing building. In 1944<sup>(2)</sup> clause 39 in the Building Bye-laws was incorporated, which was as follows:

"No person shall occupy or allow any person to occupy any new building or portion of the new building or any old building or portion of the old building that has been vacated for re-erection for any purpose unconnected with building operations until a certificate in Form 'C' in respect of such building or portion thereof has been granted by an officer of the Committee authorised to give such certificate".

Form 'C', called 'Completion Certificate' form, was issued to the citizen after inspection and it certified that the building had been constructed according to the sanctioned plans and was fit for the use for which it was erected or re-erected. Details of the kind of inspection which was actually carried out at that time are not available. In case any citizen did not apply for "completion certificate" and occupied the house in contravention of clause 39 of the Building Bye-laws, he could be prosecuted.<sup>(3)</sup> Any person who

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(2). Chief Commissioner's Notification No.F.2(110)/44-L.S.G. dated 9-10-44.

(3). Chief Commissioner's Notification No.F.2(35)/50-L.S.G. dated 21-4-50.

committed or abetted the commitment of a breach of Bye-law No.39 was liable to conviction by a Magistrate to a fine which could extend to Rs.50/-. Thus, the maximum fine which could be imposed at that time was nominal, and even the Municipal Committee, in order to impose this fine, had to go through the procedure of filing a suit and getting conviction against the citizen. It was only in 1948 that plans were required to be prepared by a draftsman licensed by the Municipal Committee and licences were issued to only such persons, who, in the opinion of the Municipal Engineer, had duly qualified themselves to be draftsmen.<sup>(4)</sup>

The Building Bye-laws which had been framed in 1915 were applicable only to a total area of 6.70 sq. miles (area of the then Delhi Municipal Committee), and these were hardly designed to cope with the kind of problems which Delhi had to face following Independence and Partition of the country. Mass migration and the existence of multiple local authorities led to haphazard and sub-standard development in the metropolitan area at a fast pace. The city started growing rapidly to the South and West,

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(4). Chief Commissioner's Notification No.F.2(72)/48-L.S.G. dated 14th June, 1948.

making it functionally unbalanced. Lines of communications were stretched and the provision of Municipal services and other facilities which are very essential for urban living, became extremely difficult. There was an acute shortage of housing and haphazard constructions created overcrowding, congestion and insanitary conditions.

In order to check haphazard construction, and to regulate and control the building activities in Delhi, the Government of India promulgated, on 2nd October, 1955, the Delhi (Control of Building operations) Ordinance. Under this Ordinance, the Delhi Development (Provisional) Authority was constituted. This Ordinance was later on replaced by the Delhi (Control of Building Operations) Act, 1955. This enactment remained in force till 31st December, 1957, when the Delhi Development Act, 1957, was passed by the Parliament with the object of promoting and securing the development of Delhi in accordance with the Master Plan. The Delhi Development Authority was created under the Act and was required to prepare the local development plans, which are to be approved by the Central Government.

The Delhi Municipal Corporation Act, 1957, which was an Act to consolidate and amend the law relating



to the Municipal Government of Delhi was passed by Parliament and it came into force in 1958. This Act created the Corporation with jurisdiction over an area of about 520 sq. miles, out of a total area of 570 sq. miles of the Union Territory of Delhi. The Corporation is required to provide services to the whole of Delhi except the areas within jurisdiction of the New Delhi Municipal Committee and the New Delhi Cantonment Board.

Procedure for Making and Amending Building Bye-laws:

The power to make bye-laws relating to buildings are derived from Section 481(1)(f) of the Delhi Corporation Act, 1957. The authorities are empowered to make building bye-laws to provide for all or any of the following matters, namely:

- 1) the regulation or restriction of the use of sites for buildings in different areas;
- 2) the regulation or restriction of buildings in different areas;
- 3) the form of notice of erection of any building or execution of any work and the fee in respect of the same;
- 4) the plans and documents to be submitted together with such notice and the information and further information to be furnished;
- 5) the level and width of foundation, level of lowest floor and stability of structure;

- 6) the construction of buildings and the materials to be used in the construction of buildings;
- 7) the height of buildings whether absolute or relative to the width of streets or to different areas;
- 8) the number and height of storeys composing a building and the height of rooms and the dimensions of rooms intended for human habitation;
- 9) the provision of open spaces, external and internal, and adequate means of light and ventilation;
- 10) the provision of means of egress in case of fire, fire-escapes and water lifting devices;
- 11) the provision of secondary means of access for the removal of house refuse;
- 12) the materials and methods of construction of external and party walls, roofs and floors;
- 13) the position, materials and methods of construction of hearths, smoke-escapes, stair-cases, latrines, drains and cesspools;
- 14) the provision of lifts;
- 15) the paving of yards;
- 16) the restrictions on the use of inflammable materials in buildings;
- 17) the restriction on construction of foundation on certain sites;
- 18) the measures to be taken to protect buildings from damp arising from sub-soil;
- 19) the wells, tanks, and cisterns and pumps for the supply of water for human consumption in connection with buildings;

- 20) in the case of walls, the dimensions of the well, the manner of enclosing it and if the well is intended for drinking purposes the means which shall be used to prevent pollution of the water;
- 21) the supervision of buildings;
- 22) the setting back of garages and shops from the regular line of a street;
- 23) the construction of portable structures and permission for such construction.

An interesting point in this connection is that the Central Government, (vide Section 480(1) could make any Regulation under the Act within one year of the establishment of the Corporation; and the Central Government, exercising power under this general clause, has framed the Building Bye-laws which came into force on 6th April, 1959.

The Corporation has the power to alter or rescind any regulation made by the Central Government, but no regulation made by the Corporation under the Act can have effect until it has been approved by the Central Government. Further, the Central Government, (vide Section 483 of the 1957 Act) has reserved to itself "supplementary powers" in respect of Bye-laws. The power to make bye-laws conferred by the 1957 Act was subject to two conditions: 1) the bye-laws are first to be published and 2) such bye-laws as are made by the Corporation, do not come into effect until they

have been approved by the Central Government and published in the Official Gazette. Further, (vide Section 483(2), the "Central Government in approving a bye-law may make any change therein which appears to it to be necessary". The Central Government has also the power to cancel any bye-laws, which it has approved previously. Thus, the powers of the Corporation in respect of building bye-laws or, for that matter, any other bye-laws, are subject to the overriding power of the Central Government. Without the approval of the Central Government, the Corporation cannot make any bye-laws.

The sort of control which is provided in the Corporation Act contains, in our opinion, an infringement upon the autonomy of local self-government bodies and it is likely to hamper local initiative and interest. Here we would like to reproduce para 216 of the Report of the Delhi Municipal Corporation Enquiry Committee (1948):-

"We would, therefore, not recommend any provisions of law which would be inconsistent with the proper exercise by the elected members of the new Corporation of their rights and duties as representatives of the democracy in the Delhi urban area. There can, therefore, be no veto on resolutions passed by the Corporation or prior sanction for bye-laws except where the maintenance of public order and morality is involved. As regards action or measures taken which may be ultra

vires, the remedy should, we think, lie with the courts of law, and it should not ordinarily be for Government to interpret what is legally permissible and what is not. We can, however, conceive of occasions when there is disagreement between the Corporation and Government as to whether a resolution or bye-law is ultra vires or intra vires of the powers of the Corporation. In such cases the Government may direct that the Resolution or bye-law shall not be put into effect until the matter is cleared up in a court of law".

We suggest that the authorities reconsider the powers of the Corporation in so far as framing of the bye-laws is concerned.

Organisational set-up:

The organisational set-up of the Building Department has undergone quite a few changes since the Corporation was established in 1958. Originally the Building Department was divided into two distinct branches - one dealing with the sanction of Building Plans and the other with unauthorised constructions.

Up to 1961 all work relating to the sanction of building plans was centralised and plans of all categories were dealt with by the Head Office at the Town Hall. Three Assistant Engineers, assisted by 18 Section Officers, were detailed for this work. The actual procedure was to receive the applications at the Headquarters and then forward them to the various zones for comments and verification of site

etc. After the return of the files from the zones, the applications were finally scrutinised at the Headquarters.

The work of dealing with unauthorised constructions was divided into seven zones. Four Assistant Engineers assisted by 43 Section Officers were entrusted with the job of detecting unauthorised constructions in their respective areas and taking necessary action thereon. This system was in vogue till March 1961, after which the first re-organisation of the Building Department took place.

The re-organisation undertaken in March, 1961, was an attempt at decentralising the work of the Building Department. The Zonal Engineers (Buildings) were, for the first time, located in the various zones and all applications for sanction of Building Plans were required to be submitted at the zonal level. However, the sanctioning authority for the Building Plans was still the Executive Engineer (Buildings) and he used to visit every zone once a week for deciding the cases. The Zonal Engineer had no power in so far as the sanctioning of the Building Plans was concerned.

One result of this reorganisation was that all work relating to sanction of Building Plans and



detection of unauthorised constructions and action thereupon was combined in the same functionaries in so far as the field work was concerned. Thus the Section Officers/Building Inspectors were assigned specific areas as they were responsible for processing Building Plan applications emanating from their areas as well as for detecting unauthorised constructions in those very areas.

Set-up under Corporation's Decentralisation Scheme:

The whole question of the administrative set-up of the Corporation with particular reference to decentralisation of work was considered by an ad-hoc committee of the Corporation in 1962. The decentralisation scheme recommended by the Committee was put into effect from April, 1963. Under this arrangement, all building plan applications were received in the respective zonal offices but the Zonal Engineers (Buildings) were delegated powers to sanction building plans of residential buildings of plots up to 300 sq. yards only. The Executive Engineer(Buildings), under this scheme, was required to visit each zone once a week to decide cases of building plans of non-residential buildings as well as residential buildings of plots above 300 sq. yards.



Existing set-up:

The arrangement described above was not found to be satisfactory as the Executive Engineer was not able to attend to the work in nine different zones scattered all over Delhi effectively. With a view to obviating this difficulty, partial recentralisation of the work was ordered with effect from 21st October, 1963. Under this new system, all plans relating to residential plots measuring more than 300 sq. yards and plans for non-residential construction and appeals on rejected plans are received by the Building Department at the Headquarters in the Town Hall. Plans for residential construction on plots measuring up to 300 sq. yards continue to be received and dealt with at the Zonal Offices. This system was prevailing at the time of study. Thus, whereas applications for the sanction of building plans for residential plots up to 300 sq. yards are dealt at Zonal Offices, the building plans for non-residential buildings and of plots above 300 sq. yards are dealt with at the Head Office in Town Hall. All applications for the issue of completion certificates are dealt with at the respective zones. Organisational chart of Headquarters Office as well as Zonal Office is given on the next two pages.

Organisational Chart

Building Department (Town Hall)

Commissioner

Deputy Commissioner(E)

(Municipal Engineer)\*

Executive Engineer (Building)

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Assistant Engineer(Headquarters)

Assistant Engineer(General)

Section Officer/Building Inspector

Section Officers

Office

U.D.C.

Head Clerk

Assistant

U.D.C.s

L.D.C.s

Activities

1. Approval of Building Plans for non-residential Building.
2. Approval of Building Plans for residential buildings of plots above 300 sq. yards
3. Appeal cases.

Activities

1. Policy matters.
2. Scrutiny of Cases referred by zones for advice.
3. Review cases.
4. General Correspondence.
5. Issue of licences to Architects.
6. Surprise inspection on receipt of complaints.

(\*). The Municipal Engineer as such has no direct connection with the Building Department. He is, however, shown here as next to the Deputy Commissioner because the present incumbent generally presides over the Building Plan Committee at the Headquarters because of his previous association with the Building Department.

Organisational Chart - Building Department  
(Zones)

Zonal Assistant Commissioner

Zonal Engineer (Buildings)

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Office Staff

(Clerks, Office Inspector,  
Lower Divisions Clerk, Peon, etc.)

Field Staff

(Section -  
Officers &  
Building  
Inspectors).

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Activities

1. To approve building plans in respect of plots less than 300 sq. yards.
  2. To approve sanitary plans (Internal fittings and drainage connections)
  3. To issue completion certificates for sanitary fittings (Form C&D)
  4. To issue completion certificates for buildings after inspections.
  5. To detect unauthorised constructions and take action for their demolition.
  6. To process applications for stacking charges.
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CHAPTER - III

APPROVAL OF BUILDING PLANS

The powers of the Delhi Municipal Corporation to regulate building activity in Delhi are derived from Section 332 of the Delhi Municipal Corporation Act of 1957, which provides that:

"No person shall erect or commence to erect any building or execute any of the works specified in Section 334, except with the previous sanction of the Commissioner nor otherwise than in accordance with the provisions of this Chapter (Chapter XVI) and of the bye-laws made under this Act in relation to erection of buildings or execution of works".

Existing Procedures:

Notices for erection of buildings, additions to or repairs to existing buildings, are required to be served on the Corporation under Section 333 and Section 334 of the Delhi Municipal Corporation Act of 1957. Every notice is required to be accompanied by documents and plans which are prescribed in the Building Bye-laws framed under the Act. The person giving the notice is also required to specify the purpose for <sup>which</sup> the building is intended to be used. Section 337(1) of the Act empowers a citizen to proceed with his building plans unless the Commissioner in writing refuses to sanction the building plan or work



for which the plans have been submitted within a period of sixty days. Thus, under the Act, the Commissioner is required to accept or reject the building plans within a period of sixty days. However, in 1965, the Corporation issued a pamphlet called "Facts You Must Know About Your Building Plans". According to this pamphlet, "building plans are mostly finalised in 15 to 20 days and are sanctioned even subject to certain corrections or production of documents".

Apart from the Corporation Act, Building Bye-laws and the pamphlet issued by the Commissioner in 1965, there is a Manual of Instructions which was prepared for the use of the Building Department staff in 1965.<sup>(\*)</sup> This prescribes a complete drill which is to be followed by the Corporation staff in cases of building plan sanctions, issue of completion certificates and detection and reporting of unauthorised structures. Section III of the Manual dealing with building plans and the drill which has been prescribed, is as follows:-

1. "Building Plans when received shall be entered in a register to be maintained by the (Building) Tax Clerk. The Tax Clerk after receiving

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(\*). Manual of Instructions of the Building Department, Municipal Corporation of Delhi, PP.4-5, 1965.

the plans will give acknowledgment to the applicant indicating therein the date on which the Architect can make corrections in the Plans and the date on which the case will be put up before the Building Plan Committee. This date should be after a minimum of 9 days and a maximum of 15 days from the date of receipt. The plans shall then be handed over to the concerned S.O./B.I. on the same day after giving the file number etc.

2. The S.O./B.I. after receiving the files shall enter them in a register to be maintained by him.

The register shall make the following columns:

- i) Date of receipt in the office;
- ii) Date of receipt by the S.O./B.I.;
- iii) Particulars of the file;
- iv) Date given to the applicant for corrections;
- v) Date on which the case is due for the Building Plan Committee Meeting;
- vi) Date of expiry of 60 days time-limit;
- vii) Date of putting up the case to A.E.;
- viii) Date of sending the file to T.P.;
- ix) Date of receipt of the file from T.P.;
- x) Date of putting up the case in the meeting and its decision;



xi) Date of communication of sanction/rejection;

xii) Remarks.

3. The S.O./B.I. shall inspect the site and scrutinise the plan with reference to the Building bye-laws and the Master Plan and will put it up before the A.E. within one week of the receipt of the file by him.
4. After checking up the report of the S.O./B.I. the A.E. will give his recommendation on the file for sanction or rejection of the plan. If the A.E. finds that some information is required to be called for from the applicant under Section 335(2), he shall issue orders for issuing invalid notice, informing the applicant that the plan submitted by him is incomplete and therefore, invalid and asking him to supply the necessary information. The A.E. shall not keep the file with him for more than 3 days.
5. After the A.E. has given his recommendations for sanction or rejection of the plans, an agenda will be prepared for the Building Plan Committee Meeting. A brief note giving the particulars and factual position of the case and incorporating the recommendations of the A.E. will be given in the agenda for every case. The Agenda should be ready at least one day in advance of the Meeting.
6. The A.E. shall check up the registers of the S.O./B.I.'s at least once in a week and ensure that the plans are put up in the Meeting on due dates.
7. After the case is decided in the meeting, sanction or rejection according to the decision shall be communicated to the party without any delay. Sanction or rejection should be communicated to the

applicant on the address given in the application or should be handed over personally to a representative of the applicant if he calls at the office and produces a letter of authority from the applicant.

8. The final disposal of every building plan shall be given in red ink on the original entry register. It will be the responsibility of the Tax Clerk to keep this register up-to-date. The A.E. shall also check up the register at least once in a month to ensure that it is maintained properly and there is no delay in disposal of plans".

Comments on the existing Procedure:

Though, according to the procedure, the tax clerk, after receiving the building plan, is required to give an acknowledgement (Instruction No. 1) to the applicants indicating therein the date on which the architect can make corrections in the plans and the date on which the case will be put up before the Building Plan Committee, yet, we find that in none of the Zones these instructions are being followed.

Table - I shows the percentage distribution of people and their response to our question "Were you given any date for appearing before the Building Plan Committee at the time of submitting your plan"? The response shows that 95 per cent of the applicants were not given any date and 3 per cent expressed their ignorance. During our visits to various zones, we also

enquired from the staff as to whether they were acknowledging the receipt of the building-plan-application and giving the dates for carrying out the corrections and also the date on which the case was to be considered by the Building Plan Committee. There was a certain pattern of uniformity in replies from the staff. Invariably the staff says that they could not adhere to this part of the procedure as they were over-worked.

TABLE - I

Percentage Distribution of respondents' opinion to the question "were they given any date for appearing before the Building Plan Committee at the time of submitting their plans".

<u>Response</u>	<u>Percentage</u>
Yes	2.0
No	95.0
Don't know	3.0
	<hr/>
	100.0
	<hr/>
Number:	<u>215</u>

The non-adherence to this set of instructions has led to the issue of a large number of invalid notices which can be easily avoided. In our opinion no invalid notice should be issued for non-compliance with the submission of documents required under the rules. We suggest that the pre-acceptance scrutiny

of the building plan applications should not be confined merely to the checking of the payment of tax for the vacant plot or existing structure. The scrutiny should cover a checking of the compliance with the other requirements such as proof of ownership etc. In our view no building plan application should be accepted by the Tax Clerk unless it is supported with the requisite documents. The Tax Clerk may be required to give a certificate that there are no administrative objections for technical scrutiny. Two advantages that flow from this suggestion are: (1) invalid notices need not be issued for non-compliance with the submission of required documents and (2) the technical staff would be enabled to devote their time to a close scrutiny of the technical aspects of the building plan.

Again, (vide instruction No. 2) the Building Inspectors and Section Officers are required to enter the particulars about the files in the registers which are to be maintained by them. However, none of the Building Inspectors/Section Officers are maintaining these registers in any systematic fashion. We suggest that the higher level officers should insist upon the maintenance of the Registers upto date and in proper form.

The staff is required to submit the building plan applications with their site inspection reports

(Instruction No. 3) to the Assistant Engineer within one week of the receipt of the file. However, in most of the cases, they take their own time and do not submit the cases within one week as required by the existing procedure. The staff and the officers explain away this failure by saying that they have to do other work also in addition to the scrutiny of the building plans. This additional work usually consists of the issue of Completion Certificates and detection and action on unauthorised constructions. This may be a valid explanation for delay. In order to overcome this situation, we recommend that these three functions of the Building Department should not be combined in a single individual. The work should be distributed not on an area-wise basis but on an area-cum-functional basis. Thus, in each zone, there should be separate staff for scrutinising the building plan applications.

According to Instruction No. 4 of the Manual, if an A.E. finds that some information is required to be called for from the applicant, under Section 335(2), he shall issue orders for issuing invalid notice informing the applicant that the plan submitted by him is incomplete and therefore, invalid, and asking him to supply the necessary information. This instruction

is also not being followed as invalid notices are at present issued only after the file has been put up to the Building Plan Committee. This, in our opinion, is wastage of time, since, once the office knows that some further information is required from the citizen, there is no need for putting up the case to the Building Plan Committee. There is one more point for consideration. Even if the Building Plan Committee approves the building plan, it will not be handed over to the citizen till he has supplied the information required by the Department. The actual procedure which has been prescribed for the issue of Invalid Notice (vide Instruction No.4) needs to be followed strictly. All Invalid Notices should, in our opinion, be issued within one week of the receipt of the Building Plan application and these notices should contain objection arising from a technical scrutiny of the plan by the Building Plan Committee. Further, the Building Department should as suggested earlier accept only those applications which are accompanied by the requisite documents.

Our data reveals that 82 per cent of the respondents have approached the Corporation only through registered architects. It should not be difficult to persuade the Architects to submit only those plans which are supported by the necessary documents. In any



case, even if further information is required, it should be the duty of the Building Department to call for this information from the citizen within one week of the receipt of application.

Instruction No. 6 of the Manual lays down that the registers of the Section Officers/Building Inspectors shall be checked at least once in a week by the Assistant Engineer. This instruction is not being followed in any of the zones. As already mentioned, the Section Officers and Building Inspectors are not even maintaining the registers and consequently, we are handicapped in checking whether they are dealing with building plans' applications on "first-come-first serve" basis or on any other basis. In the light of these findings we are compelled to conclude that the building plans are handled in an arbitrary manner and this is an unhealthy practice.

Instruction No. 7 requires that the sanction or rejection should be communicated to the party without any delay. It is normally the citizens themselves who chase the files in the Building Department and get the information regarding the approval or rejection of the building plans. Rarely does the Building Department



take the trouble of informing citizens that their Building Plan have been sanctioned and could be collected from the Office. Only in the matter of issue of invalid notices are formal letters issued. In these instances also, they wait until the statutory limit of 60 days is approaching.

The original entry register which is maintained by the tax clerk is required to be checked by the A.E. at least once in a month. This requirement also is not being followed in any of the zones at present. We suggest that the Assistant Engineer should, as a matter of course, check the register. Non-fulfilment of this type of checking should be regarded as a serious lapse of duty and should be visited by remedial action.

Our Conclusions:

There is much evidence to conclude that administration delays the disposal of papers as well as communication of decisions. It is not the absence of instructions but, by and large, it is the failure to follow the instructions and, perhaps, inadequate supervision to ensure that the instructions are followed that are mainly responsible for such shortcomings as exist in the Building Department of the Corporation in so far as the expeditious sanction of Building Plans is concerned. In order to overcome this handicap, we suggest the

preparation of a standard schedule of requirements to be checked against the proposed plan itemwise and ticked as complied with or exempted in each case. This kind of checking the building plan with reference to a schedule is the standard practice in the United Kingdom. If the predominant feature of non-conformity to the existing instructions had lead to greater satisfaction of the citizens, we could have, perhaps, suggested a modification of the rules. But the non-conformity is accentuating dissatisfaction rather than satisfaction. Therefore, a modification of the manual so as to make it conform to the prevailing practices would be a retrograde step. Our study points to the need for tightening of supervision so as to secure maximum conformity to the existing instructions.

#### CHAPTER - IV

##### Working of the Building Plan Committee System:

There are Building Plan Committees at the Headquarters and in the Zones. The Headquarters is concerned with all plans relating to residential plots measuring more than 300 sq. yards and plans for non-residential construction and appeals against rejected building plans. These are to be considered by a Committee consisting of the following officers:

1. The Deputy Commissioner (Chairman).
2. The Municipal Engineer.
3. The Executive Engineer (Buildings).
4. The Executive Engineer (Factories).
5. The Health Officer.
6. The Junior Town Planner.

Similarly, sanctioning of building plans in the zones is to be done by a Committee consisting of the Zonal Assistant Commissioner, the Zonal Health Officer, the Zonal Engineer (Buildings) and a representative of the Town Planning Organisation of the Corporation.

At the Headquarters, the Deputy Commissioner is the Chairman of these Committee meetings. However, due to his pre-occupations with other responsibilities, he is seldom able to attend these meetings, and hence, in his absence, the meetings are presided over by the Municipal Engineer. The members of the Committee go

through the comments made by the off-ice as per agenda item and see whether a file should be called for or not. It was our experience that almost all the cases which were recommended by the office for being sanctioned were straightaway approved by the Committee without any examination of the files. One of the points which we noted was that when plans were approved for being sanctioned, there was invariably a clause "subject to corrections as mentioned in the file being carried out" or "subject to compliance of objections as mentioned in the file". In none of the cases, it was felt necessary by any of the members to find out as to what exactly were the corrections which the applicant was required to carry out.

Committee system at the Zonal Level:

We attended a number of meetings of the Zonal Committees in the South Zone, West Zone and the Shahdara Zone. We understand that seldom do all the officers attend the weekly meetings of their respective zones. Actually in some of the zones, the meetings are not even held at regular intervals as required by the departmental instructions. The zonal meetings are mostly attended by the Zonal Engineer (Buildings) and the Town Planning Organisations representative. The meetings are rarely attended by the Health Officer or the Zonal Assistant

Commissioner. The latter's absence is particularly regrettable because he is also the Chairman of these Committees. The decisions are actually taken by the Zonal Engineer (Buildings) in consultation with the T.P.O.'s representative and the files are shown to the Zonal Assistant Commissioner on the next day for purposes of completing the formalities. How these Committees are functioning can be illustrated by our experience when we attended a meeting of the Building Plan Committee in the South Zone. This particular meeting was attended only by the Zonal Engineer and the Town Planner's representative. The agenda was long consisting of nearly 70 to 80 cases, and it gave the names of the persons who had applied for approval of their plans, the locality in which the proposed construction was to be carried out, and the date on which the persons had submitted their applications. All the relevant files were readily available. The files, in the first instance, were examined by the T.P.O. representative, who is concerned only with checking up whether the layout of the house and the set-backs are in accordance with the bye-laws and in accordance with the layout of the area concerned. If there are any defects in the plan with reference to these two points, he makes a note on the file; otherwise, he initials the file in token of his having seen the plan

etc. The second stage is when the file is passed on to the Zonal Engineer. The Zonal Engineer goes through the note which has been submitted by the Section Officer/ Building Inspector. This note is usually concerned with checking up the following:-

1. Verification of site.
2. Proof of ownership.
3. Existing construction, if any, on the plot, and whether the completion certificate for the same has been obtained by the owner.
4. The actual use of the existing building, in case it refers to an addition to existing structure, and whether it is in accordance with the approval of the Committee or not, i.e., whether any building is used for purposes other than for which the original plan has been sanctioned.
5. The area of plot, verified with reference to the area mentioned in the ownership deed, a copy of which is attached by the applicant with his plan. Only the attested copies of proof of ownership are required.

The next step in the examination of the plan is the checking of the technical report of the Section Officer/Building Inspector and technical objections that may have been pointed out by them. Then, he goes through the plan and tries to find out whether there are some additional technical defects which may have been omitted by the office. After this he makes a note of the decision on his copy of the agenda.



There were four categories of decisions namely A, B, C, & D. 'A' stands for outright approval, 'B' for approval subject to certain corrections being carried out by the party, 'C' for outright rejection, 'D' for issue of invalid notices to the parties concerned.

As most of the building plans were based under category B, i.e., subject to the corrections being carried out by the owners of the plots, we wanted to find out as to whether these objections were communicated to the owners or not. It appears that, since most of these plans are submitted by the architects, they themselves follow up and try to find out from the office whether the plans have been approved or not. If there are any corrections which are required to be carried out, these are usually carried out by the architects themselves even though there is no official communication from the Department. Sometimes, even the owners themselves follow up the applications and get the necessary corrections carried out by the architects. Only if the Department is not contacted for a fairly long time, the Department sends an official communication notifying the applicant of the objections.

This, in our opinion, is not appropriate, as the correct procedure would be that the applicant should be informed regarding the objections pertaining to the plan



as soon as these objections come to the notice of the Department. Our survey shows that the rectification of defects and satisfaction of other objections raised by the Building Department take a considerable time and lead to complaints from the citizens about delays, harassment and corruption. It is suggested that if a building plan can be sanctioned with corrections, the Corporation should intimate the citizens to come and carry out the corrections in the building plans and collect them duly approved on the same day. At present the Corporation is performing only the regulatory functions and not the service functions which is expected of a sound administration in a welfare State. We do not see any reason why the Corporation should not advise the citizens especially when they collect a fairly substantial sum of money by way of tax for plan approvals.

The performance of the Building Plan Committees both at the Headquarters and at the Zonal levels may be evaluated from the following two standpoints:-

1. Conformity to formal requirements; and
2. Functional relevance.

Conformity to formal requirements:

These Committees have been set up under the administrative orders of the Commissioner and there is no provision in the Building Bye-laws requiring their

formation. The initial idea underlying the formation of the Committees appears to be to enable the citizens to represent their points of view to the Deputy - Commissioner or Assistant Commissioners respectively and to enable representatives of various allied departments to sit together once a week and after considering the building plans from all angles, to decide and dispose of the cases. This would obviate the need for inter-departmental references and the consequential delays. However, the Building Plan Committees do not appear to be functioning on this basis, as some senior officers as well as the Health Officer are rarely present at any of these meetings. Though the Town Planners' representative is present, the files in which the Town Planner's opinion is required are invariably referred to the Town Planner's Office. This is particularly so in respect of the Shahdara Zone, where, due to the absence of clear-cut rules regarding "set-backs", almost all the files are referred to the Town Planner's Office. Thus there is neither a formal requirement under the bye-laws of the Corporation, for these committees nor are the Committees functioning in the manner in which they were conceived. Even the Building Department officers do not appear to be very happy with the existence of the Building Plan Committees.

Actually in April, 1967, a Circular was issued by the Building Department suggesting that cases in which plans had been prepared in accordance with the Building Bye-laws and are in approved areas of the Corporation, should be straightaway sanctioned by the Zonal Assistant Commissioner in so far as the zones were concerned and by the Executive Engineer in so far as the Headquarters was concerned. This new procedure, even according to the Building Department's own admission, would save about a week's time in getting the sanction of building plans. These instructions were followed for a short while in the zones, but at the Headquarters, the cases continued to be put up before the Building Plan Committee. Now, even the zones have reverted to the old system of approving the Building Plans through the Building Plan Committees.

The system of approving building plans through the Committee system deserves to be examined from the standpoint of administrative requirements, citizen's satisfaction and public interest as a whole.

In so far as administrative requirements are concerned the question is whether decisions should be taken by a Committee of officers of the Corporation or by the Building Department itself. When the Corporation Act, Building Bye-laws and Departmental Instructions

are already there, what useful purpose is served by these Committees? Have these Committees any functional relevance, or have these been set up to reduce the element of discretion exercised by individual officers or is it that individual officers cannot be trusted to take correct decisions? In our opinion, the existence of these Committees only goes to prove the distrust which the higher authorities have of their subordinates in the Building Department. In a way, these Committees do serve a negative purpose. The officers of the Corporation can face the public and say that the Building Plan Committee has rejected the building plan, and hence, they are helpless. Thus it saves them from the odium of rejecting citizens' applications. But from the Corporation's point of view, this kind of anonymity does not help as it amounts to an abdication of responsibility of the Building Department in so far as the sanction of the Building Plans is concerned. Thus, for purposes of accountability, this system is defective.

We were told by the officers as well as the architects that the Building Plan Committee has a salutary effect on the subordinate staff as they have to submit the cases to the Committee within fifteen days. The fear is that in the absence of the Building

Plan Committee, the Building Inspectors/Section Officers/Assistant Engineers will take their own time in handling the citizens' applications. However, our findings show that even the existence of the Committees has not reduced the element of delay. Moreover, the members of the Building Plan Committee do not address themselves to the problem of the time taken by the office in the submission of the cases to the Committee. As such, the hope that the Building Plan Committee will serve as a watch-dog to reduce delays and satisfy the citizens is not borne out by citizens' experience. In so far as the citizens are concerned, our findings show that most of the citizens are neither well informed about the procedures for the sanction of the building plans nor do they care to represent their cases personally. The Building Plan Committee could have been an instrument for reducing harassment to the citizens, provided the citizens had the necessary interest and if they were given the time and date on which their cases would be considered by the Building Plan Committee and provided this time or date was strictly adhered to by the Department. But since departmental instruction in this respect are not being followed in any of the zones, the citizens cannot represent their cases personally and it is only the architects, who, as

a result of frequent visits and contacts with the Corporation, can ~~come~~ to know as to when a particular case is coming up for consideration.

In our opinion, there are very few cases which need to be referred to the Building Plan Committee either at the Zonal level or at the Headquarters level. Referring each and every case to the Building Plan Committee is a waste of time for the concerned officers. As we have already pointed out, many members of the Committee do not find time to attend these meetings. Even those members who attend these meetings do not find it necessary to examine these cases which have been recommended by the office for being sanctioned. Though some of the building plans might have been recommended for being sanctioned subject to the fulfilment of conditions as mentioned in the file, the members of the Committee do not examine what those conditions are and whether they are essential or not.

In the light of these findings, we are of the view that the Building Plan Committee system, as it is functioning at present, is not satisfactory. There is an urgent need for re-thinking on this subject. If the purpose of the Building Plan Committees is to avoid inter-departmental references, then the town planners'



representative should be given full powers to give decisions on behalf of his Organisation during the meeting itself so that there is no necessity of referring the files to that Organisation, which inevitably leads to some delays.

If the aim is to have a high level technical committee for accepting or rejecting the building plans purely from a technical point of view, then it will be advisable to associate an architects' representative also with the deliberations of this Committee. The agenda should indicate the technical problems on which the decision of the Committee is required instead of recommending cases to be sanctioned "subject to corrections being fulfilled" or "subject to conditions as laid down in the file" etc. The agenda should be circulated well in advance.

Further, if the purpose of the Committee is to provide an opportunity to citizens to plead their cases, then it is essential that the citizens are informed beforehand as to when their cases are coming up for consideration. In such a situation, it would also be essential that the Deputy Commissioner at the Headquarters' level and the Zonal Assistant Commissioner at the Zonal level are invariably present at these meetings.

However, if the decision is to have this Committee as a watchdog for avoiding delays in the Building Department, then, in our view, only those cases should be referred to the Committee, which have been delayed beyond a period of time, say, fifteen days. In such a situation, the Zonal Engineer and the Executive Engineer should be given full powers to decide all the cases. If they fail to take decisions in the specified period, the cases should be required to be referred to a Central Committee with an explanation as to why the case has not been decided.

It may be argued that the B.P.C. is an all - purpose Committee and it has to pay attention to all the objectives enumerated above. Even if it were so, there is need to state the objectives <sup>clearly</sup> ~~and~~ so that the individual members of the Committee realise their responsibility as a team and are accountable for shortcoming, in their performance, if any.

The functioning of the Building Plan Committee, in our opinion, can be improved upon and it can be made to work as an institution which can serve the interest of the Corporation as well as those of the citizens. If this could be assured at the Zonal levels, there would not be any rational justification.

for the present system under which building plans up to 300 sq. yards only are dealt with at the zonal level. If, after the suggested re-organisation of the building plan committees at the zonal level, there are some improvements, then all residential building plans, irrespective of the size of the plots, could be dealt with at the zonal level.

CHAPTER - V

Sanction of Building Plans: Citizens' Experiences:

Delays:

Reference has already been made to a pamphlet issued by the Corporation in 1965 called "Facts You Must Know About Your Building Plans". Though the Corporation Act provides for the acceptance or rejection of Building Plans within a maximum period of sixty days, the above pamphlet claims that the "building plans are mostly finalised in 15-20 days and are sanctioned even subject to certain corrections or production of documents". We wanted to test the validity of this claim, and so our respondents were asked as to how long it took them to get their building plans approved by the Corporation. As would be apparent from the table (Table I), 42 per cent of our sample said that it took them two or more than two months to get the sanction for their plans, 21 per cent of the sample got their plans sanctioned only after more than a month, 26 per cent of the sample replied that they got their plans approved between 15-30 days. Thus, our findings do not sustain the claim made by the Building Department that plans are finalised in 15-20 days.

TABLE I

Percentage Distribution of People  
by the time taken for getting  
sanction of the Building Plans.

<u>Response</u>	<u>Percentage</u>
Less than 15 days	8.0
16 - 30 days	26.0
More than a month but less than 2 months	21.0
2 & more than 2 months	42.0
Don't know	3.0

This brings us to the question as to why the Corporation takes so long to approve the building plans which have been prepared by the architects who are registered with the Corporation. A number of reasons have been advanced by the citizens, the Corporation officers and the architects. The citizens' view is that the Corporation staff is more interested in fault-finding rather than in helping the citizens. The officials' maintain that the delays occur because the plans submitted by the architects do not comply with the bye-laws and they are not accompanied with the necessary documents. Also the applicants do not carry out the corrections in time and hence the delays. The architects' view is that the various interpretations of Building Bye-laws as also the non-communication or

delays in communication of the latest amendments account for the delays in carrying out corrections in time. The practice of various Zonal Engineers giving different interpretations to the bye-laws creates confusion and the rules to be followed are not always clear.

WHAT CAUSES DELAY?

Defective Plans:

One possible explanation for the delay in passing the plans would be that the people might have submitted either defective or incorrect plans, which have had to be changed later on. To ascertain whether delay was caused by the submission of defective plans, we asked our respondents whether their plans were sanctioned as originally submitted by them, or whether any modifications or alterations were made in their plans to meet the Building Department's objections. 65 per cent of our sample i.e. 140 respondents, said that their plans were approved without any modifications, whereas only 34 per cent replied that their plans were sanctioned after modifications had been carried out.

Thus for purposes of analysis, the sample can be conveniently divided into two categories - respondents whose plans were sanctioned without modifications and respondents whose plans were sanctioned after some changes in the building plans had been made to meet the Building Department's objections. Table II shows the percentage distribution of people whose plans were passed without



modification and the time taken in respect of those plans by the Building Department. From this Table it is apparent that even when the plans were technically correct, it has taken the Corporation more than two months to pass the building plans in respect of 42.5 per cent of the people. 30 per cent could get the sanction only between 16-30 days and 18 per cent from 31-60 days.

TABLE - II

Percentage Distribution of people who said their plans were sanctioned without modifications and their opinion on the time taken for getting sanction of Building Plans.

	<u>Less than</u> <u>15 days</u>	<u>16-30</u> <u>days</u>	<u>31-60</u> <u>days</u>	<u>More than</u> <u>2 months</u>	<u>Don't know</u>	<u>Total</u>
West Zone	7	18	16	29	2	72
South Zone	5	22	6	13	-	46
Shahdara	-	2	3	17	-	22
	12	42	25	59	2	140
	8.5%	30.0%	18%	42.5%	1.0%	100

TABLE - III

Percentage distribution of people whose plans were sanctioned with modifications, according to their opinion on the time taken for sanction.

	<u>Less than 15 days</u>	<u>16-30 days</u>	<u>31-60 days</u>	<u>More than 2 months</u>	<u>Don't know</u>	<u>Total</u>
West Zone	2	7	8	20	-	37
South Zone	4	9	11	8	1	33
Shahdara	-	-	1	4	-	5
	6	16	20	32	1	75
	8%	21%	27%	43%	1%	100

Table III shows the percentage distribution of people whose Building Plans were passed only after modifications had been made in the original plans to meet the objections raised by the Building Department. From this category of respondents 43 per cent got sanction only after more than two months, 27 per cent got the sanction between 31-60 days and 21 per cent in 16-30 days.

Both the tables show that only about 8 percent of the total respondents could get the sanction in less than 15 days irrespective of the fact whether the plans needed modifications or not. This would show that the delay is almost universal, and it cannot be

related to the technical correctness or otherwise of the Building Plans received by the Building Department.

The main cause of delay in our opinion is the issue of 'invalid notice' in respect of building plan applications. An 'invalid notice' is a notice which is issued to the applicant when his plan is found to be issue of this invalid notice discharges the Corporation from either defective or incomplete and the statutory duty its of accepting or rejecting the plan within the period of 60 days as required under the Act. This invalid notice is issued under Clause 335(2) of the Municipal Corporation Act of 1957 and it reads as follows:

"No notice shall be valid until the information required under sub-section(1) and any further information or plans which may be required by bye-laws made in this behalf are furnished to the satisfaction of the Commissioner along with the notice".

This invalid notice is sent either to the architect or to the citizen himself, depending upon the address he has given. Our observations of a number of files in different zones have revealed that Invalid Notices have been issued in almost all the cases, though, according to our data, only 17 per cent of the citizens remember to have received invalid notices. It is not difficult to resolve this apparent discrepancy. Of the 215 citizens whom we have interviewed,

200 people, i.e. 93 per cent of our respondents submitted their building plans through their architects and it is quite likely that the architects have been handling the Invalid Notices on behalf of the citizens. The files from the Building Department bear ample evidence to show that there is hardly a case in which Invalid Notice is not issued after the submission of building plan for approval. What could be the reason for the issue of Invalid Notices in such a large number of cases and what are the possible remedies for reducing these notices?

Since 65 per cent of our respondents said that their plans were passed without any modifications, the reasons which led to the issue of invalid notices must be traced to defects other than the defects in the building plans submitted by the citizens. These defects could be the non-fulfilment of the various pre-conditions imposed by the Corporation for entertaining building plan applications. The issue of invalid notices in almost every case shows that the citizens by and large are not aware of the documents which they have to submit along with their building plans and the architects also do not take the trouble to comply with all the formalities while submitting plans on behalf of their clients. The documents which the Corporation

requires are:-

1. Proof of ownership.
2. Payment of Vacant Plot Tax.
3. House Tax on existing structure.
4. Completion Certificate in case of existing building, and if the same is not available, the original sanction which led to the construction of the existing structure.
5. The purposes to which the existing building, if any, is being used and whether this involves any contravention of the building bye-laws.

We wanted to test the awareness of our respondents in so far as these pre-conditions are concerned. They were specifically asked whether they are aware that the owner of a plot is required to fulfill some preliminary conditions before the building plan application is accepted by the Corporation. 54 per cent replied to the question in the affirmative and the remaining 46 per cent said that they were not aware. When asked next to name these pre-conditions, 92 per cent of the respondents to whom this question was applicable knew and mentioned only one or two pre-conditions. This shows that there is a wide gap of communication between the citizens and the Administration. Though a pamphlet called "Facts You Must Know About Your Building Plans" was printed by the Corporation, yet, during the course of our visits to the various zones of the Corporation,

we could not find even a single copy in any one of the zones. Apart from this, of the 215 respondents who are asked whether they were aware that the Corporation had published this pamphlet, 202 replied in the negative. Thus, 94 per cent of the respondents who had actually constructed their houses were not even aware of the fact that such a pamphlet had been printed by the Corporation and was available for the public. We suggest that the Corporation should supply to the citizens cyclostyled or printed copies containing requirements\* to be fulfilled by them along with the building plan application forms.

In passing, it may also be mentioned here that even for the building plan application forms, the citizens are usually asked to contact the architects. Somehow, there seems to be a reluctance on the part of the Corporation staff to give information to the citizens directly and therefore, the citizens are usually asked to find out the necessary information from their architects.

Another cause for the issue of invalid notices (mentioned by the architects) relates to the competence of the staff of the Building Department which examines the building plans at the first instance. Many architects feel that the majority of the Building



Department staff who examine the building plans are hardly competent to do so because they are not technically qualified. Thus a very large number of invalid notices are issued on flimsy grounds with the ulterior motive of harassing the citizens so that they should offer bribes. The technical nature of these objections is not much as would be borne out by the fact that 65 per cent of the plans were passed as originally submitted by the citizens though there is no doubt that invalid notices would have been issued even in the case of a majority of these 65 per cent of our respondents. How frivolous these notices could be, is borne out by the experience of an architect who was asked to produce proof of ownership for the plot adjacent to the plot for which he had submitted the building plan. Similarly, another citizen was asked to pay a fine for a non-existent culvert which he was alleged to have made in front of the house on which the culvert is normally constructed. Proof for the legality of the existing structure is another cause for the issue of invalid notices. If a citizen wants to make additions or alterations in his house, it is for him to prove that the existing structure which in some cases would be 20-30 years old was constructed according to the building bye-laws prevailing at that time.

The Role of the Architect:

As has already been mentioned, the first contact which a citizen usually makes with the Building Department of the Corporation for the purpose of constructing a house in Delhi is usually through the architect. The Corporation accepts building plans only when they have been prepared by the architects who are registered with the Corporation. Our data reveals that citizens are aware of the fact that the building plans could be rejected by the Corporation unless they are prepared and signed by the architects registered with the Corporation, 80 per cent of our respondents said that they were aware that their building plans would be rejected unless these were prepared by a registered architect. 15 per cent were not aware of this fact. The following tables (Nos. IV & V) show the percentage distribution of the people whose plans were sanctioned with modifications and without ~~modifications~~ <sup>modifications</sup> respectively, and their opinion to the question as to who prepared the building plan for them.

TABLE - IV

Percentage Distribution of people whose plans were sanctioned with modification and their opinion to the question "who prepared the plan for your house"

<u>Zone</u>	<u>Approved Architect</u>	<u>Unapproved Architect</u>	<u>Don't know</u>	<u>Std. Plan</u>	<u>Self</u>	<u>Total</u>
West Zone	28	4	3	1	1	37
South Zone	25	5	3	-	-	33
Shahdara	5	-	-	-	-	5
	58	9	6	1	1	75
	78%	12%	8%	1%	1%	

TABLE - V

Percentage Distribution of People who said their plans were sanctioned without modifications and their opinion to the question "who prepared the plan for your house".

<u>Zone</u>	<u>Self</u>	<u>Approved Architect</u>	<u>Unapproved Architect</u>	<u>Others</u>	<u>Don't know</u>	<u>Std. Plan</u>	<u>Total</u>
West Zone	-	49	18	1	1	3	72
South Zone	-	34	2	1	9	-	46
Shahdara	-	21	1	-	-	-	22
	-	104	21	2	10	3	140
	-	74.0%	15%	1.5%	7.5%	2.0%	100

It will be observed from these two tables that 78 per cent of the respondents of the first category and 74 per cent of the respondents of the second category got their plans prepared from approved architects of the Corporation. Of the 75 respondents whose plans were passed after modifications, 74 per cent had approached the Corporation through registered architects. Table VI shows that 82 per cent of our respondents felt that their plans are finally approved only through the help of the architects.

TABLE - VI

Percentage Distribution of People according to their opinion on how their plans were finally approved.

<u>Response</u>	<u>Percentage</u>
1. Through normal procedures	4.0
2. By Personal follow-up	10.0
3. Through architects' help	82.0
4. Through the efforts of some Councillors	1.0
5. By paying money to officials at different levels	2.0
6. Combination of 2 and 3	1.0

The fact that most of the citizens go to the Corporation through registered architects and still their building plan applications lead to a very large number of invalid notices, requires some explanation.

Most of the Assistant Engineers feel that invalid notices are essential. They think that Building Plans should not be entertained if they are not accompanied by proper documents or if they are not in accordance with the bye-laws. They feel that the issue of invalid notices could be eliminated only if the plans were prepared according to the rules and necessary co-operation is forthcoming from the public and the architects. Most of the registered architects blame the Corporation staff for delay in sanction of building plans through the mechanism of invalid notices. Their opinion is that the Corporation Staff is more interested in fault-finding rather than in helping the citizens in getting expeditious sanctions.

Though there is no doubt that the Corporation staff must share a good deal of blame for the indiscriminate manner in which invalid notices are issued, yet, the architects' and citizens' responsibility for the delay cannot be minimised. Since the architects are the link between the Administration and the citizens, they have, on the one hand, to guide the citizen on proper lines, and secondly, to ensure that the rules and regulations of the Corporation are followed. In our opinion, the architect must remember that the building owner normally has no technical

knowledge and that he is the technical adviser to guide the building owner. The architect must not allow his judgement to be clouded by the requirements of his client, if, in his judgement, the requirements would lead to the violation of the building bye-laws and the preparation of defective plans. The architect should also ensure that all the documents required by the Building Department are submitted along with the building plans so that the citizens get their plans sanctioned expeditiously.

We suggest that the Corporation should hold the architects responsible for submitting the proper plans.

If the Corporation finds that some architects are persistently submitting defective plans, there should not be any hesitation to revoke their licences. The Corporation should make a systematic arrangement for narrowing the gap of communication between the citizens and the Administration, ~~the frustration of the~~  
~~citizens with the Local Government.~~

It may be emphasised here that since the architects are a link between the citizen and the Administration, the Administration should also ensure that the architects function to the best advantage of the citizens as well as the Corporation. If the architects themselves are ignorant of the rules and regulations,



they would hardly be in a position to guide and acquaint the citizens with the rules and regulations. Here, it may be mentioned that though major amendments of the existing bye-laws were carried out in 1964, the up-to-date copy of the bye-laws in English has been printed only in 1967. We believe that in the interests of good administration, the registered architects of the Corporation should be informed by post of all the amendments regarding building bye-laws or clarifications of the bye-laws which are communicated even within the Department. There should be institutional arrangements for the flow of information between the architects and the Building Department so that architects are not left at the mercy of the Building Inspectors or Section Officers to find out these rules and regulations. The principles and policies of the Building Department should be made known to all the registered architects of the Corporation through written communications.

The above analysis shows that there is a wide gap of communication between the citizens and the Administration as well as between the Architects and the Administration about the rules and regulations of the Building Department. The Administration has laid down certain requirements which, in its opinion, are

necessary before the building applications can be processed. But since these requirements are not widely known, neither the citizens nor the architects seem to fulfill them and consequently, the element of delay arising out of the universal issue of invalid notices prevails.

This issue of invalid notices is also utilised by the Corporation Staff to exploit the citizens. The citizen, on the one hand, is given to understand that his plan has been passed, and, yet, due to the ubiquitous presence of the clause, "subject to the fulfilment of conditions", he cannot immediately collect the plan. Further the removal of defects depends upon the accessibility of the staff and the availability of the File at the time that the citizen or the architect seeks to make the corrections. It is only after repeated visits that the citizen can carry out the corrections in his plan; or if he is a worldly wise person, he may resort to pay speed money. During the course of our visits to these zones, we observed that even when the plans had been duly approved and passed by the Building Plan Committee, these were not being returned to the citizens expeditiously because either the clerk concerned was not available or he usually gave the excuse that the

file was with some dealing assistant or that the Assistant Engineer had not signed the papers or some such other excuse. A good deal of the blame for this state of affairs, in our view, is to be borne by the Assistant Engineers of the zones concerned. Though they are expected to check and verify the registers of the zones, yet, we could not find any evidence that the registers had been checked. When complaints are made by the citizens to the higher-ups, the usual reply is that the plans have already been passed and the citizen could collect them at any time. But he is sent from pillar to post for collecting his plans. If the suggestions made above in respect of dealings with the architects and the improvements in communication are effected, We hope that the prevailing phenomena of harassments to the citizens at the stage of approval of the Building plans would be considerably reduced.

Officials' Viewpoint:

The officials have given some suggestions which, in their opinion, would expedite the sanction of building plans. They feel that all the building plans should be scrutinised at one place i.e. Headquarters, and the staff dealing with building plans should not be entrusted with any other work. They

also feel that the Department should maintain proper records so as to facilitate references to the previous sanctions which might have been issued in respect of a particular plot or house. Finally, they have suggested that the layout plans of the approved colonies, indicating front, rear and side set-backs should be supplied to the Building Department staff to avoid unnecessary references to the Town Planners' Organisation.

Architects' Viewpoint:

From the correspondence we had with the architects, the following views and suggestions have emerged.

They are given below in seriatim :

1. At present, most of the architects feel that building bye-laws are vague and capable of various interpretations to suit individual applicants and particular officers.
2. The policy of the Civic Body changes every now and then with the appointment of new officers and transfers of old ones.
3. Schemes are rejected outright on flimsy grounds or clerical errors or omissions, without providing sufficient opportunity to the designer concerned for making corrections.
4. There is no time limit for the sanction of building plans or the time limit is overcome on technical grounds.
5. Unqualified staff is employed for scrutinising building plans.

Some of the important suggestion which have been made by the registered architects are as follows:-

1. Building bye-laws should be standardised so that a uniform interpretation in a particular zone is possible. At present, there are different rules for different localities but these have not been codified and therefore, whenever a new Engineer takes over, there is confusion.
2. When there are differences of opinion between the applicants and the Civic Body, the matter should be referable to an independent technical authority for correct interpretation of the building bye-laws.
3. No scheme should be rejected if it can be sanctioned after the necessary corrections have been carried out. If there are some minor corrections in the plans, the Overseer concerned should rectify the plans himself.
4. When new Bye-laws are proposed to be enacted, the registered architects and Engineers should be consulted and for this purpose, the Executive Engineer of the Corporation, in conjunction with the Zonal Engineer, should hold half-yearly conferences with the architects. This will also provide an opportunity to the registered architects to bring to the fore the difficulties in their way.
5. Buildings situated on plots of more than 200 sq. yards should be supervised by a registered Engineer or architect and the certificate of completion should be insisted upon. This will stop "jerry buildings" and buildings completed will be more in keeping with the sanctioned plans.
6. Every plan should be sanctioned within the time limit of fifteen days and no invalid notice should be issued for



minor corrections which lead to delays and the files linger on from one two years.

7. The Corporation should intimate to the architects about the changes and amendments in the building bye-laws from time to time.
8. The appeals with regard to the rejected plans should be heard in person by an official higher than the rejecting authority and a definite time, date and place should be intimated to the architects in good time to review their cases and a time limit should also be fixed for the hearing of appeals.
9. Some of the leading architects should be co-opted on the Committee whose suggestions and advice would be of great help and this would minimise the harassment of the citizens.
10. The Building Department should be reorganised and only qualified professional people should be appointed to scrutinise the plans submitted for approval.
11. The Building Department Staff must be available for help and advice to the architects for the clarification of Building Bye-laws.

Extent of Corruption: Building Plan Approval Stage:

There is a general feeling among the citizens that the Corporation machinery cannot be persuaded to take decisions unless the citizens either bring outside pressure or pay bribes either directly or through some middlemen to get the papers moving. So a number of related questions about the extent of corruption in the Building Department at the stage of sanctioning



of building plans were included in our questionnaires. The respondents were asked whether they had to pay any money to the Corporation staff to get their plans sanctioned and if so, whether such payment was made directly to the staff or through the architects. It is often said that the architects demand some money from the people for paying Corporation staff in order to expedite the sanction of their building plans. However, when our respondents were asked whether the architects had made such a request to them, 71 per cent of them said that no such request was made to them; only 28 per cent replied that they were asked to pay an additional amount. The amounts they paid ranged from Rs.5/- to Rs.20/-. However, the general impression of the citizens is that some of the architects include in their fees a small amount to be paid to the Corporation staff to expedite sanction. The public is not always told about this or it could be that the 71 per cent of our respondents who said they did not pay any amount to the architect to be passed on to the Corporation staff were probably not willing to admit to being a party to such an arrangement. As mentioned earlier, only 60 people out of a sample of 215 had said that they had been asked by the architects to pay an additional amount to be passed on to the Corporation staff.

They were then asked whether they were satisfied that the Architects had actually passed on the money to someone in the Corporation or not. Roughly about two-thirds of them were satisfied that the Architects must have passed on the money to some official of the Corporation. However, about one-third of them were not sure and said that they do not know whether the Architects passed on the money or kept it for themselves.

The next question whether they thought it was necessary to make the payment was asked of persons who had paid money directly as well as those who had paid through the architect. They numbered 68. Half of them replied that only by making payment, they could get their cases expedited; about one-third gave the interesting reply that nothing ever gets done unless bribe is given to the Corporation staff. When asked next who in their opinion were responsible for corruption, about 39 per cent squarely put the blame on the officials; 32 per cent of them thought that the officials, architects as well as citizens were all equally responsible for this state of affairs. In the opinion of 14 per cent, it was both the Architects and the officials who were responsible for corruption.

Thus, an analysis of this section dealing with corruption at the time of sanctioning of Building Plans would seem to indicate that though there is a general impression that corruption prevails everywhere, yet the citizens attitudes, as indicated in Table VI do not support this impression. However, the architects whom we contacted have alleged that invariably they have to pay small amounts to officials at lower levels to expedite the sanction of building plans in almost all cases. As one architect put it "Even a simple job of getting attested copies of sanctioned plans, a job of two minutes, requires graft of Rs.15 to 20, or otherwise unnecessary harassment of two to three weeks"

Respondents' view about Reasonable Time:

As already mentioned our findings refute the claim made by the Building Department that Building Plans are finalised in 15-20 days. Our respondents were asked, on the basis of their experience, to state whether they consider the time taken for giving the sanction reasonable or too long. 54% of them felt it was too long whereas the remaining 46% thought the time taken was reasonable. (Table VII)

When questioned what in their view should be the reasonable time, 53% of the people to whom this question was applicable replied that between 15-30 days

in reasonable time. 34% however felt that sanction should be given in less than a fortnight. A small percentage (10%) said between 30-60 days would be a reasonable time.

TABLE - VII

Percentage Distribution of people on their opinion to the question "What in their view should be the reasonable time for sanctioning of Building Plans"?

<u>Response</u>	<u>Percentage</u>
Less than a fortnight	34%
15-30 days	53%
30-60 days	10%
More than 2 months	3%

Number - 115

Although the Corporation Act prescribes a time limit of 2 months for the sanction or rejection of Building Plans, the Building Department, with a view to further speed up the process and reduce the statutory time limit, issued instructions that Plans should be finalised in 15-20 days. But as our data suggests this time limit is not being adhered to and consequently there is strong dissatisfaction among the public about this delay.

It is thus apparent that even when, by its own admission, building plans could be sanctioned in 15-20 days, the Department has failed to take effective steps to realise this objective. We are also of the opinion that 15-20 days is a reasonable time for according sanction to building plans. We have identified in our report some of the factors responsible for the delay and how they could be eliminated. We hope that the implementation of our recommendations would go a long way to reduce delays and public dissatisfaction.

CHAPTER - VI

INSPECTION:

The most important criticism which is made of the bye-laws is in regard to their enforcement. To ensure that the bye-laws are complied with, throughout the whole process of erection, calls for frequent inspections of a builder's work by the Corporation Staff. However, on grounds of expense, lack of personnel and failure to keep adequate records, the authorities have never found it possible to make the number of inspections necessary to enable them to enforce the bye-laws to the full.

The Building Department of the Corporation is required to carry out site-inspection at various stages of the construction of a house. The stage of inspection may be divided into the following categories for purposes of analysis.

- i) Inspection at the Building Plan approval stage.
- ii) Inspection at the time of starting construction.
- iii) Inspection during construction, and
- iv) Inspection at the stage of the issue of Completion Certificate.

We may deal with these serially and examine as to whether the Corporation is performing its duties in a satisfactory manner:



i) Inspection at the Building Plan Approval Stage:

The inspection at this stage is primarily required to verify the building plan submitted by a citizen with reference to the actual size of the plot, and its layout. We find that inspection at this stage is perfunctory, and it appears that most of the files are completed only in the office. So far as new constructions are concerned there does not seem to be any detailed inspection at this stage.

The site is normally inspected only when the applicant has applied for additions or alterations to an existing structure, with a view to check whether the existing structures are in accordance with the sanctioned plan, and whether they were being utilised for the purpose for which they had been sanctioned, or for some other purpose. The difficulties in tracing the old files and sometimes, the non-availability of Corporations old records coupled with the failure of the citizens to provide adequate, proof of the existing structure, makes the job of sanctioning fresh plans extremely difficult. In case there are deviations from the sanctioned plan or the citizen has not obtained the Completion Certificate, there are serious problems for the citizen.

11) Inspection at the time of Starting Construction:

The citizen is required to give a notice to the Corporation, (vide bye-law 12) at the time of commencement of the erection of the building. The construction of the building is required to be commenced within a period of one year from the date of sanction of the building plans. The citizen is also required to complete his building within one year from the date of commencement of construction. With a view to getting the exact date on which the building was started, the citizen is required to give a notice to the Corporation and the Corporation is required to verify whether the construction had actually started or not. However, the data reveals that the Corporation staff rarely visited the site to verify whether the building has actually started on the particular date or not. Probably, the intention of the Corporation is to check the unauthorised constructions with the help of this clause. One of the duties of the Building Inspector or Overseer is to keep track of all constructions going on in his area and to verify whether the constructions are authorised or unauthorised. In case the citizen has not given any notice about commencement of the building, the Inspector presumes it to be an unauthorised construction without verification of his records.

We specifically asked our respondents to tell us whether they had served any notice at the time of starting their construction as required by the Corporation and if the notice had been served, whether any inspection was carried out by the Corporation Staff. The data reveals (Table I) that 43 per cent of the respondents had served the notice, whereas 33 per cent had not served any notice, 11 per cent of the respondents said that they were not aware that a notice had to be served. 13 per cent of the respondents did not know whether the notice had been served or not, since they believed that their architect may or may not have served the notice. Leaving aside the 13 per cent who had doubts as to whether the notice was served or not, we found that 44% had either not served the notice or were not aware that a notice had to be served. However, the Corporation did not take any action against the 90 people (44 per cent of the sample) who had not served any notice. This proves that the notice at this stage is regarded as a mere formality and no practical use is made of this provision by the Corporation. It is also difficult to believe that this notice helps the Corporation in checking unauthorised constructions since the field visits are seldom regular and since no action is taken when no

notice is served. We suggest that the rules about commencement notice demand strict enforcement and further, a schedule of inspections after receipt of commencement notice must be prepared and enforced.

TABLE - I

"Did you serve any notice on the Corporation at the time of starting of construction?"

<u>Response</u>	<u>Percentage</u>
1. Don't know, the architect may have served	13
2. Served the notice	43
3. Did not serve any notice	33
4. Not aware that a notice has to be served.	11
	<hr/> 100 <hr/>

In our opinion, the rules should be amended to make the building plan valid for a period of two years which may be regarded as reasonable for completing the constructing of the house from the date of issue of the sanction of the building plans. However, for starting the construction work, a period of six months from the date of issue of sanction of the plan should be insisted upon. The date of commencement should be communicated to the Department with a view to enable initial

inspection at the stage of laying the foundations for the building. We strongly recommend the inspection of the foundations without fail because later on this type of inspection is almost impossible. In our view, the Corporation should satisfy itself about conformity to the prescriptions about foundations. In case the building is not erected or completed within this period, the sanction should be held to be invalid and the citizen should be required to approach the Corporation for getting his sanction revalidated.

We also asked our respondents to tell us whether any officer of the Corporation visited the site to verify the start of the construction when the notice had been served by him. Nearly 60 per cent of the sample said that nobody from the Corporation visited them.

TABLE - II

If notice was served, did any officer of the Corporation visit your site to verify the start of construction.

<u>Response</u>	<u>Percentage</u>
1. No	59
2. Yes	28.5
3. Don't know	12.5



iii) Inspection during the course of construction:

The only way of ensuring that a city grows and develops in a planned manner and that houses are constructed according to approved building plans, would be by carrying out inspections during the course of construction of a house. This is a very important stage, and if there is no inspection at this stage, there is likely to be deviations resulting in harassment and corruption at the stage of the issue of completion certificates. The functions of a local body are not to be restricted to a mere enforcement of the rules and regulations, but they should also be able to render all the necessary help and guidance to a citizen. This is the core of service administration of a welfare state in contrast to the penal approach under a police state. Most of the citizens construct their houses once in a lifetime. As our data reveals, a majority of the citizens who have constructed their houses in Delhi belong to the middle income group and they could hardly be expected to construct a house under the supervision of either an experienced and re-nowned architect or/under the guidance of building consultants. Since they pay to the Corporation the building tax also, it should be obligatory on the part of the



Corporation to help the citizens at the stage of the actual construction of the house. Inspection at the stage of completion certificate may get for the Corporation a certain amount of revenue, but what it will amount to will hardly be commensurate with the satisfaction that a citizen might get from the free service which the Corporation could render to him in the shape of advice flowing from inspection during the course of construction of his house.

We asked our respondents whether any inspections were carried out by the Corporation staff during the course of construction and whether any advice or help was rendered by the Corporation staff to them.

76 per cent of the sample (Table III) out of a total of 215 respondents said that nobody ever visited their house during the course of its construction. An insignificant per cent said that they did not know whether a visit was made or not; whereas a quarter of the sample said that somebody from the Corporation had visited their house during the course of construction. Here, it may be mentioned that the 50 people who said that somebody from the Corporation had visited their house during construction were not specifically aware whether the officer who visited them was from the Building

Department or from some other related Department like Water or Power.

TABLE - III

Were any inspections carried out by the Corporation during the course of construction?

<u>Response</u>	<u>Percentage</u>
Don't know	6
Yes	24
No	70
	<hr/>
	100
	<hr/>

We also asked the officers of the Corporation during the course of interviews with them whether they found it possible to inspect the houses when they were being constructed and if, in their opinion, such visits had been useful. A majority of the officers said that they had no time for this work which they considered to be unnecessary and superfluous. However, in our opinion, it will be in the best interests of the Administration, i.e. good Administration, if the Corporation performs not merely its regulatory duties but also serves the interests of the citizens. This could only be possible if advice and assistance is rendered to the citizens without grudge by the local authorities.

Our data indicates a serious omission on the part of the Building Department to provide basic and essential service to the house-builders in Delhi.

We suggest that the Corporation should start a consultancy service as part of the activities of the Building Department and make available the services of its experts in respect of preparation of plans and their execution. This may be operated on the same lines of a public utility services.

Inspection at the time of Issue of Completion Certificate:

The purpose of inspection at this stage is for the Corporation to satisfy itself that the buildings which have been constructed conform to the requirements of the Building Bye-laws in respect of structural safety, fire safety, hygienic and sanitary conditions both inside and outside the building and is fit for occupation; it has also to see that the buildings have been constructed in accordance with sanctioned plans.

A few questions were posed to our respondents in order to find out to what extent the Department is discharging its duties at this particular stage of inspection. About 62 per cent of our total sample had applied for a completion certificate. They were asked whether any official had come to inspect their buildings after their application for completion

certificate was made. Nearly 75 per cent of them answered in the affirmative whereas about a quarter of them replied in the negative. (Table IV).

TABLE - IV

Did anyone come to check your Building after the application for Completion Certificates was made?

<u>Response</u>	<u>Percentage</u>
Don't know	3
Yes	75
No	22
<u>N</u>	<u>133</u>

Asked next, "How long after the application was made did the Corporation staff visit the house?", the respondents replied about the time taken by the staff to inspect is given below: (Table V)

TABLE - V

If yes, long long after the application was made did the Corporation staff visit your house?

<u>Response</u>	<u>Percentage</u>
Don't know	3
Within a week	23
Within a fortnight	32
Within a month	22
Within six weeks	11
More than six weeks	9
Number:	<u>100</u>

As was indicated earlier the Inspection duties performed by the officials of the Building Department leaves much to be desired both at the time of commencement and during the course of construction. The staff is in fact conspicuous-ly absent at these two stages of inspection. However, our data indicates that at the time of issue of completion certificates the Building Department staff bestir themselves into activity and appear to take more seriously their duties of carrying out inspection. This fact immediately struck us. This made us wonder why the staff should perform their duties at this stage with such alacrity especially when their presence was not in much evidence at the start and during the course of construction? One charitable explanation would be that the Building Department is very much concerned with the structural soundness of the building and the lives of the occupants. The interest with which the staff carries out inspection at this stage gives rise to doubts about the bonafides of the staff. This doubt is fortified in our minds because inspection is scanty and neglected in the earlier stages of commencement and construction.

The citizen has to apply for completion certificate on his own and the signature of the architect is not required on such an application. It is at this stage

that there is direct confrontation between the officials and the citizens. This is the most dreaded moment as far as the house-builder is concerned but for the officials this is the time they have been looking forward to. It is during this time that the officials of the Department have to verify whether the construction is in accordance with the sanctioned plan or whether the house-builder had made any deviation. If there are any deviations the Corporation staff has to determine whether the deviations can be regularised or these have to be demolished. A good deal of discretion vests in the lower level staff as regards reporting or non-reporting of deviations. Since there is hardly any building which is constructed without deviations, it offers great scope for the officials to bring into full play their intimidating tactics. Opportunities for corrupt practices manifest themselves here as the house builders and officials try to arrive at private settlement as regards the penalty to be paid. Those house-builders who refuse to be a party to any under-hand dealings are threatened with demolition of their constructions. Since no citizen will readily agree to demolition of his building, he has either to pay a very high penalty or resort to the prevailing common practice of bribing the inspecting staff to ignore deviations. It could



therefore be argued that the reason for interest in inspection at the time of issue of completion certificate is, it appears, largely to harass the citizens and extort bribes from the house builders. The main purpose of checking whether a construction is in accordance with sanctioned plan is now being utilised by the unscrupulous members of the staff for their own ends. Consequently this is also the reason for much of the unpopularity of the Building Department among the citizens.

We feel that the harassment of the citizens would be much less at the time of issue of completion certificate but for the dereliction of duty in the matter of inspection at the time of construction, on the part of the Building Department. This harassment could be reduced much further provided some advice and guidance to the house-builder is made available by the Building Department during the course of construction. It is evident that the Department is more inclined towards policing rather than discharging its supervisory functions. In an ideal situation there would be a combination of both regulatory and supervisory function. At present only the policing function is very much evident as is apparent from the fact that inspection is carried out only at the last stage (i.e.) at the time of completion of houses.

In our opinion the Building Department which is entrusted with the important job of regulating Building activities should set in motion its inspection machinery right from the inception of construction and not when the construction has already been completed. When a building has been completed, there is nothing left to regulate. The point we wish to emphasise, is that inspection if it has to have any meaning and validity should commence right from the beginning and go on till the construction is completed. "The inspection should," as suggested by J.B. Wikeley, "take the form of routine inspections whether notices have been received or not. All inspections should be recorded on a record card with notes as to matters found to be wrong or likely to require further visits". He further recommends that "in all cases of default, a preliminary or departmental contravention notice should be served by the surveyor who has that power and duty, the case being reported, if necessary, to the next committee for statutory action-----" We consider it advisable that Zonal Engineers should follow the above suggestion.

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J.B. Wikeley: "Municipal Engineering Law and Administration. C.R. Books Ltd., London, 1964, P.218.



CHAPTER - VII

Completion Certificate: Citizens' Experiences:

The difficulties which a citizen has to experience for obtaining the completion certificate are far greater than the difficulties he has to face for getting his building plan sanctioned. At the building plan approval stage, there is delay and harassment but a citizen is likely to get his building plan approved through normal procedures, provided he is prepared to wait for some time. This delay may be irritating and may cause some problems to the citizens; and the corruption at that stage is comparatively less.

However, a citizen has to face many difficulties for obtaining completion certificate. He is required to apply for the completion certificate within one month after the completion of the erection of the Building or execution of the work. Clause 346(2) of the Corporation Act provides that "no person shall occupy or permit to be occupied any such building or use or permit to be used any building or a part thereof effected by any such work, until permission has been granted by the Corporation in this behalf in accordance with the bye-laws made under this Act".

"Provided that if the Commissioner fails within a period of 30 days after the receipt of a notice of completion to communicate his refusal to grant such permission, such permission shall be deemed to have been granted".

Causes for delay in the issue of completion certificates:

According to many officials of the Building Department, there is delay in the issue of completion certificates because the houses are not constructed exactly according to sanctioned plans. Many people are bent upon encroaching the set-backs which is not permitted by bye-laws. In all these cases, completion certificate is held up for want of regularisation of deviations or removal of encroachments respectively. In many cases the deviations are not compoundable as per policy and as penalties for compounding deviations are heavy, people try to delay as much as possible either in the hope that Building Bye-laws will be liberalised or that they could get over the objections through pressures. Sometimes the sanctioned plans are not easily traceable in the Zones and this causes delay. Finally the officials feel that the staff of the Department is overwhelmed by multiple types of work and hence, the delay.



An analysis of our data in respect of the 133 persons (Table I) who had applied for completion certificate and their opinion about the time taken for obtaining the same are given in Table I. From the table we see that only an insignificant percentage of respondents got completion certificate as early as within fifteen days whereas a further 17 per cent got them during the statutory period. In all, only 21 per cent got the completion certificate within the statutory period. Among the rest, the variations in delay range from one to two months. Moreover, over one third of the respondents were awaiting the completion certificate at the time of interview.

TABLE - I

Percentage distribution of people according to their opinion on the time taken for the issue of completion certificate.

<u>Response</u>	<u>Percentage</u>
Less than a fortnight	4.5
15-30 days	17.0
31-60 days	14.0
More than 2 months	20.0
Still to be issued	37.0
Completion certificate refused	3.0
Don't know	4.5
N= 133	<u>100.0</u>



A detailed break up of the 37 per cent of the respondents who were waiting for the completion certificate is given below. (Table II) From the first column we see that eight per cent of the respondents have been waiting for less than a month whereas in the rest 92 per cent, the range of waiting varies from anywhere between two months to two and a half years.

TABLE - II

<u>Response</u>	<u>West Zone</u>	<u>South Zone</u>	<u>Shahdara</u>	<u>Total</u>	<u>Percentage</u>
Less than month	2	2	-	4	8%
Less than 6 months	3	5	-	8	16%
6 months but less than a year	3	5	1	9	18%
Between 1 to 1½ years.	13	-	7	20	42%
Between 2 to 2½ years	3	-	-	3	6%
Don't Remember	3	2	-	5	10%
	27	14	8	49	100

Thus, it would appear that 71 per cent of our respondents could not get their completion certificates within the stipulated period. As in the case of

sanction of building plans our findings suggest that the authorities do not observe the time limit set by themselves.

The delay in the issue of completion certificates springs mainly from the attitude of the staff. They seem to take advantage of the situation which offers them scope to intimidate the public and extort bribes. Much of the delay could perhaps be reduced and the harassment minimised if the citizens were to construct their houses in accordance with the sanctioned plans. As one of the leading architects has said "As regards completion certificate, there is no trouble in obtaining it, if the building is constructed in accordance with the sanctioned plans, but invariably, it so happens that unauthorised additions or alterations are introduced during the course of construction for which the owner has to face the attendant consequences." In the succeeding pages, we will discuss citizens' responsibility to <sup>Conform</sup> ~~conform~~ to sanctioned plans, the extent of corruption at the time of the C.C. and possible ways to reduce it. The need for a reliable appeal machinery to which a citizen can turn for fair decisions regarding the quantum of penalty to be paid has also been discussed. Finally, we offer some suggestions which could possibly reduce the difficulties of a citizen in obtaining the completion certificate.

Conformity to sanctioned plans: Citizen's Responsibility:

The officials of the Building Department are no doubt responsible to enforce Building Bye-laws and secure its compliance from the citizens. But no less is the responsibility of the citizens themselves to conform to regulations while constructing their houses. It is an onerous and often an impossible task for the Department to supervise all constructions round the clock even when it has adequate resources and is working at optimum efficiency. When such is not the case, there is laxity in enforcing rules and regulations. This leads to a situation where citizens are tempted to flout rules with impunity; whereas actually there is need for some voluntary cooperation and self-imposed restraint from the public.

When a house-builder gets his building plan approved, it is incumbent upon him to conform as far as possible to the sanctioned plan, but it is alleged by the officials that the citizens often deliberately deviate from the sanctioned plans. An analysis of our data appears to substantiate this allegation as a majority of our respondents have admitted to making deviations deliberately. What is more, they were even able to specify the nature of deviations they had made.

Now, this leads us to the question as to why does the public deviate from sanctioned plans? Is it because the Building Bye-laws are defective or are the citizens trying to exploit the laxity in supervision of the Department to gain some undue advantage by excess coverage, possibly with the connivance of a few corrupt officials or is it inherently difficult to strictly ~~conform~~<sup>Conform</sup> to sanctioned plans? We asked our public to give us the answer to these questions and the reasons they have advanced for making deviations are quite interesting. Broadly, it would seem that they had made deviations in their constructions to derive some convenience and comfort in living and for aesthetic reasons. Some felt that deviations are unavoidable and in any case a few of them said it is a common practice to make deviations.

Another interesting point which emerges from our analysis is that citizens have resorted to making these deviations with the prior knowledge supplied to them by the architects that they could be regularised after paying a penalty. But when we questioned our respondents whether, in their opinion, their plans would have been approved if the deviations made by them were included in the original sanctioned plan, a few of them said yes, while a substantial

number of them were emphatic that their plans could not have been approved.

From this, it would appear that some citizens are tempted to deviate from their sanctioned plans in the hope that they could be regularised after paying ~~penalty~~ while others had deviated deliberately possibly to gain some undue advantage. But considering the fact that it is the architects (at least some of them) who supply this information and encourage the public to make deviations with the promise that they would get them ignored or regularised presumably with the help of some corrupt officials, it is not surprising that many malpractices prevail at the time of issue of completion certificates and assessment of penalties.

Deviations from sanctioned plans: Data Analysis:

The officials allege that citizens often deliberately deviate from the sanctioned plans. Our respondents were questioned on this aspect. They were asked whether their constructions are in accordance with sanctioned plans and if not, whether they were aware of the type of deviations they had made, the reasons for doing so and whether these deviations were made at their own initiative or at the suggestion of the Architect/Contractor.



The question whether their constructions conform to sanctioned plans was put to those who had completed their constructions. In a sample of 215, roughly about 76 per cent have completed constructing their houses. 54 per cent of the people to whom this question was applicable said that they had made deviations from the sanctioned plans. The remaining 46 per cent say that they have carried out their construction in accordance with the approved plans. (Table III)

TABLE - III

Was your construction exactly in accordance with sanctioned plan?

<u>Response</u>	<u>Percentage</u>
Yes	46
No	54
<u>N</u>	<u>162</u>

Those who admitted to making deviations were next asked whether they could specify the nature of deviations made. An overwhelming majority of them (94 per cent) could mention the nature of deviations. A small percentage (5 per cent) could not readily recollect.

When asked whether these deviations were deliberate or accidental, 68 per cent of them confessed that



the deviations were made deliberately. 22 per cent of them replied that in their construction, deviations occurred accidentally. The remaining 10 per cent said that in their case some deviations were deliberate whereas some were accidental. (Table IV)

TABLE - IV

Were these deviations deliberate or accidental?

<u>Response</u>	<u>Percentage</u>
Deliberate	68
Accidental	22
Both deliberate and accidental	10
	<hr/> 100

Number: 88

Asked to give reasons for making deviations, one third of them said that deviations are unavoidable. About 6 per cent of them replied that it is a common practice to make deviations and a very small per centage said that they had made deviations for ornamental and decorative purpose. About 44 per cent gave the reply that they had deviated from their sanctioned plans for the sake of convenience and comfort. The rest could not justify why they had made deviations. (Table V)

TABLE - V

Could you please give reasons for these deviations?

<u>Response</u>	<u>Percentage</u>
Deviations are unavoidable	35
For the sake of convenience and comfort.	44
Common practice to make deviations	6
For ornamental and decorative purposes	4
No reasons	11

Questioned whether these deviations were made at their own initiative or at the initiative of the architect/contractor, more than half admitted that the deviations were at their own initiative; 28 per cent said that deviations were at the initiative of the architect. Some attributed the initiative to the building contractor, whereas a few others replied that the deviation were at the instance of both the architect and the contractor. (Table V)

TABLE - V

Were these deviations at your initiative or at the initiative of the Architect?

<u>Response</u>	<u>Percentage</u>
Self Initiative	56
Initiative of the Architect	28
Initiative of the Contractor	4
Initiative of the Architect/ Contractor	12

The Corporation permits certain deviations to be made from the plan which could be regularised after paying a penalty. The citizens were asked whether the deviations made by them fall into this category. 78 per cent of them thought that the deviations they made were of a nature which could be regularised after paying penalty. (Table VI).

TABLE - VI

Do you know that these deviations could be regularised after penalty?

<u>Response</u>	<u>Percentage</u>
Yes	78
No	15
Knew some of them only could be regularised	2
Uncertain	5

The next question was directed to people who said that they had knowledge that the deviations they made could be regularised/condoned. They were asked how they came to know about this. 69 per cent replied that the architects supplied them with the information. About 29 per cent came to know from other sources. A small per centage (2 per cent) said they got the information from a printed pamphlet of the Corporation. (Table VII)

TABLE - VII

If yes, how did you come to know that deviations could be regularised condoned?

<u>Response</u>	<u>Percentage</u>
Through Architect	69
Through other sources	29
Through Printed Pamphlet of the Corporation.	2

We next asked the respondents whether, in their opinion, their plan would have been approved if the deviations they made had been included in the original plan. A quarter of them believed that their plan would have been sanctioned. However 32 per cent said that their plan would not have been approved. Nearly 43 per cent were not sure whether their plans would have been approved or not if the deviations they had made were included in the Plan (Table VIII).

TABLE - VIII

If these deviations had been included in the original plan, do you think your plan would have been approved?

<u>Response</u>	<u>Percentage</u>
Don't know	43
Yes	25
No	32

Points that emerge from an analysis of this section are:

1. Majority had made deviations.
2. They also knew the type of deviations they had made.
3. Majority confessed that they had made deviations deliberately.
4. And the deviations they had made were at their own initiative.
5. Most of them thought that deviations they made were of a nature which could be regularised after penalty.
6. In most cases, the architect supplied them with this knowledge.

Corruption at the time of issue of Completion Certificate:

Whereas the public generally waxes eloquent about the prevalence of corruption in the Building Department, there is a curious reticence on their part in discussing their own responsibility for encouraging it. One has to make here a distinction between those citizens who are compelled to give bribes out of sheer helplessness and, on the other, those citizens who give bribes to officials on some kind of quid pro quo basis (i.e.) the officials are encouraged to turn a blind eye to any major deviations they might make and in return the officials are amply compensated. The former category of citizens, it would seem, are resigned to the fact that corruption in administration



is something that they have to put up with and that there is precious little that they could do to eradicate it. This feeling of helplessness springs mainly from an ignorance of rules and procedures and due to the intimidating tactics of the staff holding out threats of demolition of their constructions. Perforce this drives them to bribe the officials if only to get rid of unnecessary harassment. The unscrupulous citizen, on the other hand, is more practical and faces the realities of the situation for promoting his self-interest in a different way. Being confident that with the help of corrupt officials he can flout rules and regulations, he proceeds to do so. The corruption process starts at the time of inspection after the application for completion certificate is made. The officials inspect the houses to verify whether any deviations had been made and to assess the amount of penalty to be paid for compounding/regularising such deviations. At this stage, there is some amount of bargaining and finally, some understanding is reached. Broadly, the agreement that the citizen arrives at with the official concerned amounts to this. The official promises to issue C.C. and an official receipt for the amount paid as penalty for regularising the



deviations. But there is a difference in the amount mentioned in the official receipt and what the citizen had actually paid to the official concerned. We were interested in knowing what the "difference" amounts to, so as to have some idea about the magnitude of corruptions at this stage. But we found that our respondents were not communicative about the amount demanded by the officials for regularising the deviations and the actual amount they had paid to the Corporation and the receipt obtained for. We have here a situation which is conducive for the corrupt officials to make money. This opportunity appears to be fully exploited and corruption seems to be widely prevalent at this stage. Frankly, it appears difficult to suggest any cut and dry methods to eradicate corruption at this point. The problem here has to be tackled, keeping in view, the two categories of public mentioned earlier the helpless and the corrupting public. A greater awareness and knowledge of rules, perhaps, would enable those helpless citizens who, at present, prefer to bribe, to get rid of the bullying and intimidating tactics of the staff. In the case of those citizens who make major deviations and get them overlooked in collusion with corrupt staff, the only remedy that suggests itself is the need for more thorough, efficient and

systematic inspection by the higher officials of buildings for which completion certificates have been issued. The higher officials could take to task those officials who had connived at issuing C.C. in spite of major deviations in the constructions.

We are encouraged to offer these suggestions in the light of the overwhelming support that the public gave to the reasons which, in our opinion, contributed to the existence of corruption at the stage of issue of completion certificate. As we see it, corruption is prevalent because (1) the public makes deviations from their original plans, (2) the Building Department staff is used to taking/making money (3) the higher officers of the Corporation do not inspect the buildings; and finally (4) the rules are not known/nor made known to the public. As the data indicates (Table IX) there is a wide measure of agreement among the public with our diagnosis of the causes for corruption at the time of the issue of completion certificates.

We suggest that the Department should adopt a two-pronged approach to this whole problem:

- (1) communication of rules regarding deviations which a citizen can make and the legitimate penalty chargeable and
- (2) stern action against those citizens who

deliberately make major deviations such as excess coverage, non-conformity to set-backs, etc. Even demolition of such structures should be resorted to.

Such an action would have a salutary effect and may possibly act as a deterrent to future house builders.

Our suggestions about plugging the channels of corruption will fail to have any appeal or effect in case the 'spoils' are shared by officials from top to bottom. We often hear tales about proportionate share in the amounts collected through corrupt practices. There is no means of checking this hearsay.

TABLE - IX

<u>Response</u>	<u>Agree</u>	<u>Disagree</u>	<u>Don't know</u>
Corruption will always be there because public makes deviations from original plan.	70%	23%	7%
Corruption will always be there because the Building Department staff is used to taking/making money.	77%	12%	11%
Corruption will always be there because the procedures are complicated.	68%	23%	9%
Corruption will always be there because the higher officers of the Corporation do not inspect the Building.	58%	32%	10%
Corruption will always be there because the rules are not known/made known to the public.	72%	24%	4%

B5

Need for Appeal Machinery:

There can be no two opinions on the fact that house-builders who make deviations from sanctioned plans deserve to be penalised but the question in dispute is about the process of determining and communicating the penalty. The house-builder is often informed about a lump-sum to be paid as penalty but he is completely kept in the dark about how the total amount was arrived at. Neither the Corporation Act nor the Building Bye-laws contain any provision about penalties to be paid by the citizen in the event of deviation from sanctioned plans. Two pamphlets published by the Corporation towards the end of 1965 entitled, (1) "Facts You Must Know About Your Building Plans" (2) "How And Where To Get Building Completion Certificates" refer to certain rates of penalties for deviations. Reference was already made by us to the fact that these pamphlets are seldom available to the public.

The Manual of Instructions to the Staff of Building Department says that, "The compounding fee for various deviations shall be calculated on the basis of office orders issued from time to time". However, the rates of compounding fee for some of the more common deviations (twelve in number) are enumerated in the manual.



In the first place, the manual is marked and intended for official use only. The above clause also refers to calculations to be made on the basis of periodic office orders. It should be mentioned that original office orders as well as amendments thereto, it seems, are not meant to be communicated to the citizens. Two aspects are critical here. Ignorance of law cannot be pleaded as an excuse by the citizen but the contents of administrative orders that have the force of law are not communicated to the citizens.

In the absence of this information, the citizen is left to plead with the official concerned about reductions in the amount. This inevitably leads to unhealthy practices and offers ways and means to corrupt officials to make easy money. A house-builder who might have made some minor deviations could be overcharged, whereas the unscrupulous citizens who make large-scale deviations try to settle it with the official concerned. In both cases the Corporation is deprived of its legitimate revenues. The penalty chargeable should be communicated to the citizens and the officers should see that the amount goes to the Corporation. The job of assessing the penalty should not be left to the discretion and whims of the lower level officials. It should not be beyond

the resources of the Department to prepare a comprehensive list of deviations and penalty chargeable for each and this information should be circulated among the house-builders.

At present, an aggrieved citizen can personally get in touch with the Zonal Area Commissioner or Executive Engineer. They can in their turn we are told call for the files and rescrutinise the cases provided they are convinced that some injustice has been done. But this only amounts to a reconsideration of the case by the Departmental Officers who have assessed the penalties initially. This procedure, in our view, is inadequate. We suggest that a citizen should have the right to appeal to a Board to which may be co-opted some architects and citizens' representatives to consider appeal cases. The right of appeal to the Board suggested here should be communicated to the citizen while intimating the penalty.

The officials of the Corporation are not unaware of the fact that a majority of the citizens are defying the rules and yet the corporation does not seem to do anything about it. It is common knowledge among the officials that a majority of the houses which have been built in the recent past have been occupied without prior permission from the Commissioner.



Since it is an offence to occupy the house without obtaining the completion certificate, we asked our respondents whether they occupied the houses wholly or partly or let it out before obtaining a completion certificate.

As is evident from (Table X) half the respondents had admitted to occupying their houses before obtaining the completion certificate; whereas a small percentage had said that they had let it out (8%) and some had either partly let out or partly occupied their houses (11%). Thus 69 per cent of our respondents had occupied their houses without obtaining the completion certificate.

TABLE - X

Did you occupy the house wholly or partly or let it out before obtaining a completion certificate?

<u>Response</u>	<u>Percentage</u>
Occupied the house wholly.	50
Let it out wholly.	8
Partly occupied and partly let out.	11
Neither let out nor occupied the house.	31

N = 133

Our next question related to those people who had occupied the house or let it out before obtaining Completion Certificate. Their number was 92, out of a sample of 133 (Table XI). They were specifically asked whether they were aware that they could be prosecuted by the Corporation for occupying the building without obtaining the Completion Certificate. Surprisingly, 78 per cent of them replied that they were not aware of this. Only 20 per cent of the respondents said that they were aware of this provision. A small percentage of respondents believed that occupying the house without obtaining C.C. was not an offence.

TABLE - XI

If answer is yes, are you aware that if the building is occupied, without obtaining C.C. prosecution action can be taken by the Corporation?

<u>Response</u>	<u>Percentage</u>
Aware	20
Not aware	78
Occupying the house without obtaining the C.C. is not an offence.	2

N = 92

We also asked the Zonal Engineers, Section Officers and Building Inspectors, whether the Corporation ever took legal action against the citizens who did not apply for the Completion Certificates. There was almost a unanimous answer that the Corporation has never taken action against such citizens. This raised the question as to who are the people who apply for C.C. and we found that only those people applied for C.C. who had obtained loans from Government departments and had to provide proof that their building had been completed. An other category of people who apply for completion certificates is made up of those people who let out their houses to big firms or embassies and those parties insist on examining the completion certificate before occupying the house so that they should not be disturbed by the Corporation staff after they have occupied the houses. And then there are citizens who are persuaded by the Corporation staff or the architects to apply for completion certificates so as to get an opportunity for making money. Strangely enough, the Corporation has not evolved any machinery for checking whether the building for which plans have been sanctioned by it, has been constructed or not, and whether after the construction the owner has applied for completion

certificate or not. When the citizens know that the Corporation is not likely to take any action, whether they apply for the completion certificate or not, the normal tendency will be not to apply for the issue of completion certificate since a citizen knows that such an application will lead to a lot of harassment and complications for him. Unless there is some compelling reason, people do not apply for completion certificates. It is in these circumstances that we suggest that the Corporation must evolve an adequate administrative machinery for keeping a watch on the construction of houses for which plans have been sanctioned and insisting that the completion certificates be obtained by the citizens before houses are occupied. If the Corporation is going to wait for the citizens' applications for completion certificates, there will be quite a few defaulters. Default on the part of a citizen in the above two respects, means loss of revenue for the Corporation and may result in the growth of the city on an unplanned basis. Here again there is evidence of serious lapse on the part of the Department to communicate to the citizens about their responsibility in obtaining completion certificate and the legal consequences for the failure to do so. We hope the Department will make concerted efforts



in educating the house-owners about their duties.

We asked all the Zonal Engineers the question (vide question No.16 Officials Questionnaire) as to "how is it that in almost all the completion certificate cases, the citizen is informed that the house was found locked and he should fix an appointment for inspection". Most of the Zonal Engineers agreed that this was a part of the harassment tactics adopted by the Corporation staff. Also the applications of these citizens who do not take prompt action for fixing up an appointment is treated as invalid and hence of no consequence. The Corporation staff thus gets round their legal responsibility of issuing completion certificates within a period of 30 days. Once a letter is issued that the citizens' house is found locked, it means that till such time as the citizen fixes an appointment no action need be taken by the Corporation staff. In our opinion the Corporation, should immediately after the application for completion certificate is submitted, inform the citizen about the time and date when the inspection would be carried out.

Suggestions for Improvement:

The above analysis shows that there are a number of deficiencies in the working of the Building Department, both as regards inspection procedures and as regards disposal of citizens' applications for the issue of completion certificates. There are delays as well as malpractices, which have created a poor image of the Department as well as of the Corporation. We have considered various suggestions for eliminating these delays and malpractices. There can be three possible ways of remedying the existing situation. One would be to centralise all the work relating to inspection and issue of completion certificates. Another suggestion is that the Corporation should introduce an officer - oriented system of administration whereby the Zonal Engineer takes the responsibility for carrying out inspection and issuing the necessary completion certificate. The third suggestion relates to making improvements in the existing procedures without disturbing the structure.

If centralisation takes place, there will be a uniform interpretation of rules and regulations and compounding fees will be levied on a uniform basis. At present, the complaint is that there are different



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rules and regulations for the different zones and these are interpreted by different officers in their own way. When we look at this argument closely, we find that there are different rules and regulations which are applicable to certain localities. For instance, even the bye-laws provide one set of rules for the plots sanctioned before 1st September, 1962, and another set of rules for the plots sanctioned after this date in so far as maximum permissible coverage is concerned. Similarly, there are different 'set-back' rules for different localities. In Nizamuddin and some areas of Patel Nagar, there is no insistence on a rear set-back whereas in areas like Greater Kailash, South Extension, Defence Colony, etc., the rear set-back is required to be provided by a citizen. Thus, when there is no uniformity of rules for the various localities, we cannot expect a uniformity in their interpretation. The need for centralisation could have been suggested if the rules pertaining to all the areas in Delhi were the same. Since this is not so, and different zones have different problems, we do not favour the centralisation of the work relating to inspection and completion certificates.

The second suggestion is that an Officer-oriented pattern of Administration should be introduced in the Building Department. This would mean that the Zonal

Engineers would carry out the initial inspection of the buildings and would be personally responsible for the issue of completion certificates. This would eliminate discretion of the lower level officers such as the Building Inspector and the Section Officer. At present, the complaint is that ignorance of the citizens, coupled with slackness in supervision enables the lower level officers to harass the citizens and extort bribes. This could be eliminated if the officers themselves were to carry out inspection for purposes of issuing completion certificates. There is no doubt that, sooner or later, we will have to change the existing system of Administration so that individual officers are made responsible for specific work. The existing system of checks at different levels might have been useful in an era where there was not much of development activity. At a time when development activity is expected to be fast and there is urgent need for economy in Administration, there does not appear to be any reason why papers should be processed at different levels before action is taken. This is a sound argument, but it can be put into practice only when technically qualified staff, adequately trained in their responsibilities and having a grasp over the essentials of building regulations and

and their enforcement is available. Since this kind of expertise does not exist at present amongst the Section Officers and Building Inspectors, it is argued that the responsibility for inspection should be passed on to the Zonal Engineers. In our opinion, it would not be possible for the Zonal Engineer to attend to the Completion Certificate work in its entirety, due to multiplicity of his work such as the approval of building plans and action on unauthorised constructions. However, the Zonal Engineer should personally verify the report of the field staff by inspecting at least 25 per cent of the houses. He should also send periodic reports to the Executive Engineer on the performance of the staff in detecting deviations etc.

If it is not practicable to make any changes in the existing structure for handling citizens' applications for Completion Certificates, then the following changes should be introduced to improve the efficiency of the Department.

The inspection required for issuing completion certificates is a technical job and it should be handled by staff specifically trained for this purpose. At least one or two Section Officers in each Zone should be specially trained for this purpose, and they should be exclusively responsible for dealing with completion certificate applications. These Section

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Officers should be distinct from the Section Officers who will mainly deal with scrutiny and sanction of building plans. They should also be responsible for providing help and guidance to the house-owners during the course of construction. This arrangement would enable the Department to take officers to task in case there are large-scale deviations in their zones. We suggest that before any officer is given this appointment, he should be carefully screened, so that undesirable elements do not get into positions where there is a lot of scope for exercising discretion. Regular and systematic supervision of Section Officer's work by the Zonal Engineer, coupled with surprise checks by the Executive Engineer and the Zonal Assistant Commissioner should lead to elimination of many of the existing malpractices.

There is an urgent need for stricter control by the Headquarters on the functioning of the zones in respect of issue of completion certificates. The problems faced by the various zones in the issue of completion certificates has probably not received the attention which it deserves. For instance, it is well-known that in the last ten years or so, it has not been possible for the officers of the Building Department to issue more than a couple of completion certificates in the Shahdara Zone. The officials



allege that people are bent upon encroaching the set-backs which is not permitted by the bye-laws and so, in all such cases, the issue of completion certificate is held up for want of removal of these encroachments. It is not as though the people do not apply for completion certificates in the Shahdara Zone. Applications are received, but due to restrictions imposed by the T.P.O., and due to the necessity of referring every completion certificate case to the Town Planner, there is a complete bottleneck in so far as the issue of completion certificates in the Shahdara Zone is concerned. The higher echelons of the hierarchy of the Building Department should have paid some attention to the problems of the Shahdara Zone as lots of houses have been built up and people are residing in those houses, apparently in defiance of rules and regulations. It is possible that something may be wrong with the rules and regulations or that the citizens may be encroaching upon public property. When such is the case, either the T.P.O. should issue general instructions relaxing the set-back rules or the Corporation should take specific action for the removal of these encroachments on public property. Thousands of houses have been constructed which, in so far as the Corporation is concerned, have been illegally occupied, but the reluctance on the part of the

Corporation to take action or to issue the completion certificates shows a dereliction of duty.

It is in the light of this situation that we suggest that the Headquarters should exercise a strict control over the functioning of the zones in respect of issue of completion certificates. The various zones should be asked to submit a monthly report showing the completion certificate applications received, the number of cases pending for more than a month. It should be the duty of the Headquarters to look carefully into these monthly reports and take suitable action in cases which have been pending for more than one month. If the house has been inspected and the penalty has been communicated, but the citizen has failed to pay the penalty, then the Corporation should take legal action to prevent him from utilising the house. However, if inspection has not been completed within the prescribed period or if inspection has been carried out but the report has not been written or the penalty has not been communicated, then action must be taken against the officers who are responsible for such delays. It will be possible to improve the working of the Building Department only if drastic action is taken against the delinquent officials who are responsible for damaging the reputation of the Corporation.



The following procedure is suggested for handling the applications for completion certificates:

- (a) The citizen should be required to submit one copy of the building plan along with his application for the completion certificate; he may also be asked to give in writing whether he has made any deviations from the sanctioned plan and if so, what are those deviations?
- (b) Within one week of the submission of applications for the completion certificate, the citizen should be informed in writing by the Corporation as to the actual date and time on which the inspection of his house will be carried out.
- (c) As soon as the inspection has been completed, the citizen should be informed in writing the deviations which have been detected and the action which is proposed to be taken by the Corporation regarding those deviations. If the deviations can be compounded, under the existing rules and regulations, the citizen should be informed of the penalty which he has to pay for getting the deviations regularised by a specific date. In case the deviations cannot be compounded, he should be asked to pull them down within a period of 15 days. In case there is no response from the citizen, the Corporation should take legal action to prevent the citizen from occupying and utilising the house.
- (d) Building <sup>Inspectors</sup> ~~Inspection~~ are not technically qualified to detect deviations from sanctioned plans and as such they should not be given this work.
- (e) The Building Plan Committee at the Zonal level should also serve as an Appeal Board where a citizen can represent his case if he is dissatisfied with the penalty imposed on him. The citizen should be informed of his right to appeal at the time of communication of the penalty. There

should not be any indefiniteness about the period in which a citizen can appeal; he should be informed that his appeal will be entertained only if he applies within a period of seven days.

- (f) The Building Department should prepare a comprehensive list of deviations which could be compounded on payment of compounding fees and this should be strictly enforced in all the zones.
- (g) The following time schedule should be observed for disposing of applications for the issue of completion certificates:
  - i) Inspection of the premises on receipt of the application = = 7 days;
  - ii) Intimation to the house-owner regarding deviations made and the penalties imposed = = 4 days after inspection;
  - iii) Disposal of the case by the Board of Appeal if an appeal is preferred = = 15 days from the date of issue of intimation under 2 above.

A systematic adherence to a schedule like this would, we hope, minimise the scope for the number of existing delays and malpractices.

- (h) It is necessary for the various Departments of the Corporation to take coordinated action to compel the citizens to adhere to the rules and regulations framed in connection with the construction of houses. At present, a citizen is allowed to get a temporary water connection for a period of one year on the production of a receipt from the Building Department to the effect that the citizen had applied for the

issue of the Completion Certificate. Once water is provided, the Corporation loses track of the case and does not disconnect the water connection even though the completion certificate may have been refused by the Building Department. Further, the Assessment Department of the Corporation does not maintain close liaison with the Building Department. Even though some unauthorised additions might have been made to the existing structure by the owner, and these have come to the notice of the Assessment Department, yet these are not communicated to the Building Department and consequently, the building bye-laws are flouted. If a better liaison could be established between the Building Department and the Assessment Department, there would be a greater scope for enforcement of rules regarding the issue of completion certificates.

CHAPTER - VIII

Building Department: Staffing Pattern and Problems:

The study of the Building Department of the Corporation would be incomplete without reference to the technical and educational qualifications of the staff working in the Building Department. As such, we had written to the Corporation, requesting them to furnish us information regarding the categories of staff, the sanctioned strength and the technical qualifications required for the personnel of the Building Department. This information has been furnished by the Corporation. (Annexure IV). It would appear from the information provided by the Corporation that apart from the supervisory staff, there are 42 Section Officers, who are required to have the minimum technical qualification of a Diploma in Civil Engineering, and there are 26 Building Inspectors (non-technical). In addition, there <sup>are</sup> 42 LDCs and UDCs who are assigned clerical and indoor work. We wanted to find out the nature of the duties of the Section Officers and the Building Inspectors. And therefore, we interviewed on the basis of a Questionnaire (Annexure II) <sup>the supervisory</sup> staff consisting of Zonal Engineers and Assistant Engineers, as well as Section Officers and Building Inspectors. We have

interviewed 17 Building Inspectors, 30 Section Officers and 7 Assistant Engineers including the 5 Zonal Engineers of the Building Department.

The data on their educational qualifications reveals that whereas all the Building Inspectors whom we interviewed were only Matriculates, 90 per cent of the Section Officers possessed High School Education plus a Diploma in Civil Engineering and 10 per cent had an AMIE certificate as well. 72 per cent of the Zonal Engineers were Diploma holders in Civil Engineering, and the remaining 28 per cent held Engineering Degrees.

There seems to be a considerable turn over in the staff of the Department; or to put it differently, the transfers to and from the Building Department are most frequent. This feature is something which is probably common to Government Departments at all levels. Whatever may be the reasons for the high turn-over there is no doubt that it has a deleterious effect on the accumulation of knowledge and experience in the work of the concerned Department.

An analysis of our data (Table I) indicates that 61% of the officials in our sample have been Corporation employees for a period ranging from 5 years to 20 years. This is true of Building Inspectors, Section Officers/Overseers as well as Assistant Engineers



who constitute our sample. 94% of the Building Inspectors, 40% of the Section Officers and 72% of the Assistant Engineers have all been serving the Corporation for anywhere between 5-20 years; 58% of the Building Inspectors have said that they have been working in the Corporation for 15-20 years.

TABLE - I

Question: "How long have you been a Corporation  
No.1(E) Employee?"

<u>Response</u>	<u>Building Inspectors</u>	<u>Section Officers</u>	<u>Assistant Engineers</u>	<u>Total</u>
1 year to 2 years.	-	7%	-	4%
2 - 3 years	6%	23%	14%	17%
3 - 5 years	-	30%	14%	18%
5 - 10 years	6%	40%	43%	29%
10 - 15 years	30%	-	-	10%
15 - 20 years	58%	-	29%	22%

Although the officials have a fairly long tenure in Corporation Service, it is significant that 75% of them are recent entrants to the Building Department with their tenure ranging from less than six months to about two years (Table II). Official-wise break up also reveals that 70% of the Building Inspectors, 77% of the Section Officers and 72% of the Assistant Engineers have less than 2 years experience in the



Building Department.

TABLE - II

"How long have you worked in this post?"

<u>Response</u>	<u>Building Inspectors</u>	<u>Section Officers</u>	<u>Assistant Engineers</u>	<u>Total</u>
Less than 6 months.	29%	20%	43%	26%
6 - 12 months	35%	37%	-	32%
1 - 2 years	6%	20%	29%	17%
2 - 3 years	24%	7%	14%	13%
3 - 5 years	6%	7%	-	6%
5 years & above	-	9%	14%	6%

We questioned the officials to tell us about their career details in chronological order. Our data reveals (Table III) that whereas the Building Inspectors and the Assistant Engineers have held one other position prior to their present one, such is not the case with Section Officers/Overseers. Evidently all the Assistant Engineers have been promoted from the ranks of Section Officers and there is no direct recruitment of Assistant Engineers. As already indicated, 94% of the Building Inspectors had put in from 5 to 20 years of service in the Corporation and during this period they have held only one other

position as L.D.C. before being appointed to their present position. Similarly 72% of the Assistant Engineer's held the position of Section Officers before being promoted as Assistant Engineers during their tenure ranging from 5 to 20 years. But 93% of the Section Officers/Overseers who have from 2 to 10 years experience continue to hold the same position. This indicates that the rate of promotion of Section Officers to the grade of Assistant Engineers is very slow.

TABLE - III

Question: "What positions did you have before  
No. 1(E) this one?"

<u>Response</u>	<u>Building</u> <u>Inspectors</u>	<u>Section</u> <u>Officers</u>	<u>Assistant</u> <u>Engineers</u>	<u>%</u> <u>Total</u> <u>Sample</u>
Same position held so far.	6%	93%	28%	55%
Held one other position.	94%	7%	72%	45%

The Assistant Engineers and the Building Inspectors appear to be satisfied that their present job is in keeping with their qualifications and abilities. But opinion is divided on this aspect among Section Officers. Of the 30 Section Officers/Overseers in our sample, half of them feel satisfied but the other half have expressed dissatisfaction with their job vis-a-vis their qualifications and abilities. (Table IV)

TABLE - IV

Question No. 1(H) Do you think this job in keeping with your Qualifications and abilities?

<u>Response</u>	<u>Building Inspectors</u>	<u>Section Officers</u>	<u>Assistant Engineers</u>	<u>Total</u>
Yes	76%	50%	57%	59%
No	18%	47%	43%	37%
Uncertain	6%	3%	-	4%

Job Satisfaction:

The officials were asked the question "Some people like their work, other think of their work as only a means of livelihood. How do you feel about your work"? (Table V). More than half of the Building Inspectors feel that they like their work and find it interesting. The rest find their job not interesting. Job dissatisfaction is particularly evident among 57% of the Section Officers. However 40% of them have said that they like their work. For 3% of them, however, it is only a means of livelihood.

Among Assistant Engineers opinion about the interest in their job is evenly divided. 43% of them feel that their job was interesting while an identical number expressed dissatisfaction.

TABLE - V

Job interest and satisfaction

<u>Response</u>	<u>Building Inspectors</u>	<u>Section Officers</u>	<u>Assistant Engineers</u>	<u>Total</u>
Yes, Interesting	53%	40%	43%	44%
Not Inter- esting	47%	60%	43%	54%
Don't know.	-	-	14%	2%
<hr/>				
Likes the work	53%	40%	43%	44%
Has Reserv- ations.	47%	57%	43%	54%
Means of Liveli- hood.	-	3%	-	-
Don't know.	-	-	14%	2%

But viewing the official sample as a whole, it is evident that the majority of officials find their jobs uninteresting. There is in our opinion relationship between lack of career mobility in Corporation service and job dissatisfaction.

Staffing Pattern at the Headquarters & Zonal Level:

The Building Department headed by an Executive Engineer works under the overall control of one of the Deputy Commissioners of the Municipal Corporation who is a generalist administrator. The Executive

Engineers ~~has two~~ Assistant Engineers to help him at the Headquarters. The Assistant Engineer (General) deals with policy files pertaining to the various zones of the Corporation and the Assistant Engineer (Headquarters) deals with files <sup>relating</sup> ~~concerning~~ to 300 sq. yards and above and plans for non-residential constructions.

At the zonal level, the Building Department is under the control of the Zonal Engineer (Buildings). The Assistant Engineers and the Zonal Engineers are identical terms. The technical qualifications required for these posts is Graduate in Civil Engineering but 72% of the incumbents at the time of interview were diploma holders. These engineers are either recruited directly or departmentally promoted from among the Section Officers having more than 7 years' experience. So far as the Headquarters is concerned, the Building Department is under the overall control of one of the Deputy Commissioners who is a generalist administrator. But the zonal engineers have to work under a dual control. As regards technical problems his immediate superior is the Executive Engineer of the Building Department and he has to refer policy files to him for orders. Within the zone, however, he has to work under the administrative control of the Zonal Assistant Commissioner who is a generalist administrator.

The powers of the zonal engineers are limited and though he is competent to sanction a building plan or approve the issue of a completion certificate, he cannot do this until and unless he has obtained the approval of the Zonal Assistant Commissioner. This restriction on the powers of the Zonal Engineer, in our opinion, is uncalled for, and he should be directly responsible only to the Executive Engineer, though for purely house-keeping and administrative purposes, he should be responsible to the Z.A.C. Transfers of personnel within the Building Department should be exercised by the Executive Engineer and the Z.A.C. should not interfere in the assignment of work to Section Officers or Building Inspectors.

At the Headquarters as well as in the zones, the Building Department has a regular office. These offices are manned by Section Officers, Building Inspectors and other clerical staff. The Section Officers are required to have a Diploma in Civil Engineering; but, for the Building Inspectors, no technical qualifications are required and the minimum educational qualification for them is matriculation. A major portion of the office staff of the Corporation consists of Upper Division Clerks, who are designated as Inspectors of the Departments to which they may be



posted. Thus, a U.D.C. may be designated as Building Inspector, Sanitary Inspector, Meter Inspector, Water Inspector, or Assessment Inspector, depending on the department to which he may be currently posted. The clerical staff consisting of Lower Division and Upper Division Clerks is liable to be posted in any Department of the Corporation. At this level, there is no specialisation. Thus, the term 'building inspector' is a misnomer, as the staff so designated have no technical qualifications. The duties which are assigned to the Building Inspectors, however, are identical to the duties which are assigned to the Section Officers. The Section Officers were previously called Overseers but their designation was later changed to the present designation of Section Officers.

In addition to the Section Officers and Building Inspectors, there is other clerical indoor staff, and the duties of this staff are usually restricted to receiving the building plans, distributing the dak to the dealing assistants, and receiving the building tax, stacking charges and fee for compounding deviations, keeping the records and issuing the plans or completion certificates to the citizens.

As already mentioned, the duties of the Building Inspectors and Section Officers are interchangeable. In our opinion, the work pertaining to

scrutinisation of the building plans and inspection of houses for the issue of completion certificates should not be assigned to the non-technical staff. This work requires technical competence and Section Officers who have the necessary technical qualifications should be assigned this work. The designation of 'building inspector' given to the U.D.C.s should be done away with because it is a misnomer. The UDCs who are at present employed as Building Inspectors should be either transferred to some other non-technical Department or they should be given only clerical duties. If there is a paucity of technically qualified staff, then work relating to detection of unauthorised constructions and supervision of their demolition may be assigned to Upper Division Clerks currently called Building Inspectors. Otherwise, this category of staff, in so far as the Building Department is concerned, should be replaced by technically qualified staff.

It would be in the interests of the Corporation if the Section Officers/Overseers are rotated at regular intervals in the Engineering Department of the Corporation. The present position appears to be that a Section Officer once assigned to the Building Department remains in the Building Department for

long though he may be transferred from one zone to another at periodical intervals. (Vide Table IV P.) Our data reveals that a large number (70%) of the Section Officers have held their present positions from 3 to 10 years; and secondly, most of them have been holding the same position which was given to them when they joined the Corporation for the first time. The dissatisfaction among the Section Officers was very high. Fifty per cent of the Section Officers we interviewed expressed the view that the job which they were holding was not in keeping with their qualifications and abilities. It is suggested that a Section Officer who joins his duty for the first time should be in the planning cell of the Department for a period of three years. Thereafter, he may be transferred to the Works Department for three years, and only after that, he should be transferred to Building Department. This rotation will enable the technical staff to accumulate the necessary expertise for performing their duties in the related Departments.

The efficiency of the Building Department depends to a very large extent on the interest, integrity and devotion to duty of the field staff as well as their technical ability to detect deviations and interpret the Building Bye-laws. As such it is

recommended that the Building Department should be manned primarily by the technically qualified staff (except for indoor clerical work).

Architects' Views:

The Architects also expressed the view that the success of the enforcement of the Building Code depends on the ability and honesty of the personnel of the Buildings Department. <sup>The officials of the Building Department</sup> who enforce rules and regulations should know how they operate in the field and the legal basis for them. Officials must, therefore, exercise care and sound judgement in using their powers to avoid being arbitrary or prejudiced in their decisions. "A good rule to follow is to remember that he is a permit issuing, or permitting official but not a prohibiting official". His personal likes and dislikes have no place in his exercise of judgement.

Further, the architects say that it is unfair and humiliating for qualified professionals like them to have their plans scrutinised by Building Inspectors. This, in their view, leads to unhealthy practices and on many occasions, unscrupulous people get their building plans, however unsatisfactory, approved whilst the plans submitted by a qualified Architect are subjected to continuous harassment. This brings us to the question of training of the officials of the Building Department.

### Training:

Modern Municipal Government demands skills, knowledge, and attitudes which can be acquired only through training. As the impact of City Government on urban life has grown, the need for training and retraining has become urgent and necessary.

The training should aim at aiding the employee to increase his skills or knowledge. Further, the development of skills or knowledge should have some bearing upon the work the employee is engaged in. Lastly, such a training programme should be planned and organised. The Committee on Employee Training of the Public Personnel Association of USA has defined that "Training is the process of aiding employees to gain effectiveness in their present or future work through the development of appropriate habits, thought and action, skill, knowledge and attitudes".<sup>(1)</sup>

The officials of the Buildings Department are entrusted with a job which requires a fair amount of technical knowledge and skill. It is essential that they should not only familiarise themselves with Building Bye-laws but should also have adequate knowledge in interpreting them. A common complaint voiced both by architects and citizens was that the

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(1). The Technique of Municipal Administrations, Fourth Edition 1958 (International City Managers' Associations) PP.191.



Building Plans are often scrutinised by the Building Inspector who does not possess any technical knowledge and "most of them do not even know the component parts of a building but they are very competent in graft".

Some questions were included in our questionnaire to find out whether the officials of the Buildings Department had received any training for the job they are doing. None of the 54 officials we interviewed had received any training. May be it can be argued that the Zonal Engineers and Section Officers need not receive any training since the former are Graduates and the latter Diploma holders in Civil Engineering. But the fact remains that there is need for training in the interests of effective checking and regulating Building activities. We suggest that there should be a training programme to make the personnel more competent. This is required in order to detect deviations from sanctioned plans and infringement of Bye-laws. They should receive thorough training in specific aspects of enforcement to ensure consistent application of code provisions. A programme of lectures by experts in construction, sanitation, fire safety, etc. can be organised. They should also be trained in Public Relations Techniques. The ability of inspectors to explain to property owners the nature of a violation, why it



should be eliminated and how to correct it and to prevent recurrence seems essential to successful code enforcement. This is possible only through a well thought out training programme.

Extent of Public Co-operation:

For proper and meaningful relationships between citizens and administrators, it is not only the officials' behaviour and attitudes which count but also, to a great extent, the way the citizens extend their cooperation especially in the matter of following rules and regulations. Keeping this in view, the officials were asked to what extent does their department get public cooperation. 43% of them said they received very little cooperation. 27% of them however said cooperation from the public was forthcoming to quite a great extent. About the same number remarked they received only some cooperation. (Table VI)

TABLE - VI

Extent of Public Co-operation

<u>Response</u>	<u>Percentage</u>
Very little cooperation	43%
To a great extent	27%
Some extent	27%
Don't know	3%

Asked to state what was the basis for saying that they received very little cooperation, 58% of the officials mentioned the general indifferent attitude of the public. However, 21% thought that the public was ignorant about the rules and procedures and thus could not extend the necessary help. 11% felt that the public was not convinced of the need to cooperate. Another reason given by 5% of the officials was that political interference hindered smooth public relations. The remaining 5% did not express any opinion.

The officials who told us that public cooperation was forthcoming, were asked, what, in their opinion, were the reasons for the public advancing this cooperation. 58% of them felt it was because generally public were law-abiding, 42% felt that public cooperated because they had confidence in the officers.

The officials of the Buildings Department were asked to suggest in what way the public should cooperate with them. 36% of the officials want that the public should know and obey rules. 25% of them exhorted the public not to engage in unauthorised construction; about 13.5% desire that public should desist asking the officials to do illegal things. About the same number expect the public to be tolerant and considerate towards them. 12% of the officials were unable to

offer any opinion on the kinds of cooperation they expect from public. (Table VII)

TABLE - VII

What kinds of cooperation?

<u>Response</u>	<u>Building Inspector</u>	<u>Section Officer</u>	<u>Assistant Engineer</u>	<u>Total</u>
Public should know and obey rules.	30%	35%	42%	36%
They should not engage in u/c	23%	30%	29%	25%
They should not ask officers to do illegal things	23.5%	7%	14.5%	13.5%
Tolerant and considerate towards officials.	17.5%	13%	-	13.5%
Don't know.	6%	14%	14.5%	12.0%

It is evident from our data that officials at various levels in the Buildings Department realise the importance and need for getting public cooperation. An overwhelming number of them (80%) felt it is very important that public should cooperate with them. The Building Inspectors in particular, keenly felt the need for such cooperation.

It is encouraging that officials should desire public cooperation in spite of the fact that nearly 69% of them have admitted to pressures from public by

way of "extra demands". (Table VIII) 54% of the officials cited the habit of the public requesting for relaxation of rules in their favour. 30% of officials have said that the public makes requests that could not be complied with. For example, people sometimes bring councillors' recommendations for things that could not be done according to rules. Also, the public do not employ good architects with the result that plans are not properly prepared and when mistakes are pointed out by the officials, the public want that they should be overlooked.

TABLE - VIII

Public makes extra demands

<u>Response</u>	<u>Building Inspectors</u>	<u>Section Officers</u>	<u>Zonal Engineers</u>	<u>% of Total Sample</u>
Yes.	59.0	67.0	100	69%
No	35.0	33.0	-	29%
Don't know	6.0	-	-	2%

TABLE - VIII(A)

Nature of Demands

Don't know	3%
Asks us to relax rules	54%
Asks us to expedite the work	16%
Mentions requests not within our power to comply.	3%
Other demands.	24%

- 100 -

A majority of the officials (59%) said they have not heard public criticising them about the performance of their duties. However, 41% of them answered in the affirmative.

The officials also mentioned to us the nature of criticism from the public. These pertain to complaints about delay, discourteous behaviour, and inefficiency of the Corporation staff. Bulk of the officials, however, feel that this criticism was unfair (64%). There were quite a few officers who feel that such criticism is fair (14%). One official ruefully admitted "whenever there is public dealing there is always criticism". This feeling seemed to predominate among all officials.

Problems in Serving the public:

The officials are often said to be callous and indifferent in serving the public. There may be an element of truth in this. But this does not warrant a wholesale condemnation of the officials of being insensitive to public needs. The fact that administrators have to function within a framework of rules and regulations often results in making them extremely cautious and devoted to rules. The public fails to appreciate this fact and is consequently impatient with the delays and the ways of administration. The officials in their turn blame the citizens for trying

to by-pass the established procedures and for bringing in pressures of various types.

We were keen to find out the problems which the officials of the Buildings Department face in serving the public and to suggest measures to overcome them.

A majority of the officials (74%) admitted that they had problems in serving the public. (Table IX) Asked to specify these problems, 39% of them complained about poor working conditions. The complaints related to lack of proper accommodation for sitting and working and having to inspect a larger area without proper conveyance facilities. The haphazard manner in which the files are maintained and the difficulties in tracing them were also mentioned. We were also told that when they go for site-inspection or demolition work, they are not even provided with measurement tapes.

29% of the officials blamed the public for not being cooperative and actually obstructing them from discharging their duties. They have alleged that the public join together and use violence during demolition work. Sometimes the public give misleading and incorrect information and refuse to accept official notices. They also prevent the officials on inspection duties from entering their premises. The officials particularly seem to take exception to the accusations from the public that they are corrupt.



27% of the officials have blamed the councillors for interfering in their work. About 5% did not express any opinion.

TABLE - IX

What are the problems in serving the Public?

<u>Response</u>	<u>Percentage</u>
Political Interference	27%
Lack of Public cooperation	29%
Poor working conditions poor	39%
No opinion	5%

The officials have made the following suggestions which, in their opinion, will enable them to serve the public better. 37% of them laid much emphasis on better working conditions. 25% of them desired that political interference should stop. Surprisingly only 9% of them expressed a desire for more public cooperation for enabling them to serve the public better. However, a substantial percentage of them (29%) had no opinions to offer (Table X).

TABLE - X

Q.NO.:4(g) What improvements do you suggest?

<u>Response</u>	<u>Percentage</u>
Political Interference should not be there.	25%
People should be cooperative.	9%
Better working conditions	37%
No opinion to offer	29%

An analysis of the above data shows that the Corporation employees have grievances both against the public as well as against their own Organisation. In the matter of cooperation from the public, much remains to be done by the Corporation itself. It has to inform and educate the citizens about their responsibilities. Moreover, the Corporation employees themselves should be courteous and polite in their behaviour towards the public and this would go a long way in making the public behave in a responsible manner.

In so far as working conditions are concerned, there is much truth in what the staff has complained about. At the present moment, there are not even enough of tables and chairs for all the employees in a particular zone. There is no proper seating arrangement and all the files are heaped up because of lack of proper filing facilities. All these are organisational deficiencies to remove which immediate attention must be paid. Satisfactory working conditions are a necessary preliminary for better morale and more efficient performance of duties by the personnel.



CHAPTER - IX

Corporation Image

This chapter on the Corporation image among the citizens and the officials in our sample is considered desirable for inclusion for two reasons: (1) The Building Department is apart of the whole set-up of the Corporation. We are of the view that a self-appraisal of the image of the whole Organisation has a bearing upon the image of the particular department and (2) in this chapter we have sought to cover the general impressions of the citizens and administration about a set of propositions administered to them. The views about the Corporation as a whole and about the statements, we thought, would help to bring out the general attitudes about their respective roles and behaviour. Before we deal with our findings, we would like to give a brief discussion of the role of Local Self-Government in the frame of the democratic system adopted under our Constitution.

The main purpose of local government agencies is to strengthen democracy at the grass-roots level. Incidentally, these agencies also help to bring knowledge about the apparatus of Government and its functioning to the doorsteps of the citizen. The

average citizen looks up to the local government to provide all the basic amenities and services such as medical and educational facilities for himself and his family, a cheap and reliable transport system besides good roads, electricity, sanitary facilities and water supply, parks, theatres, etc. Provision of these services form by and large the substantive functions of the local government institutions. In order to satisfy the needs of the citizens, the above functions have to be performed in an efficient manner. An average citizen will inevitably judge the efficiency of the Local Government by the type and quality of the services he is provided in his daily life. He is likely to pay his taxes cheerfully and may evince a keen interest in the running of the Local Government if he is satisfied with the services which he rightly needs. However, if he is not satisfied with the extent and quality of the services he expects, he is likely to develop an attitude of indifference if not hostility to the whole system of local government. This contingency is all the more true in a metropolitan capital City where a citizens' expectations are higher than among other cities. To pay the taxes or to get a water or power connection and for a host of similar other requirements, the citizens come in

close contact with the officials of the Local Government. If a citizen is treated with courtesy and his requirements are attended to promptly, he will be satisfied; but if, as is often the case, he is pushed around from one place to another, treated shabbily and has to pay speed-money in order to get things done, he cannot be blamed if he curses the entire system of local self-government. We tried to ascertain the attitudes of our respondents towards the Corporation as the symbol of local self-government.

In response to our general question about the working of the Corporation our respondents were either very critical or reluctant to express their opinions on the performance of the Corporation. There was widespread dissatisfaction about the services and amenities being provided at present. They specifically commented on the poor medical facilities; costly and undependable transport system, frequent power failures and constant water shortage. They felt that the Corporation had failed to solve many of the civic problems. The hostility of the citizens towards the Corporation and consequently to the whole system of local-self-government could be illustrated by the comment of a few citizens. "Let us scrap it altogether".



Narrating their experiences from frequent visits to the Corporation offices, the citizens dwelt at length upon the inordinate delays in getting things done. They felt that these delays were deliberate and were often resorted to by the Corporation staff with a view to harass the public and to extort bribes. As one citizen put it: "An average person hates to visit the Corporation because he wastes more time and achieves very little".

But it was the alleged prevalence of Corruption which seemed to haunt the minds of the bulk of the public. Their view was that the Corporation was a hot bed of corruption. On the basis of his dealings with Corporation employees, one citizen pithily remarked. ~~"Money" matter~~ "Money" matter is uppermost when they talk with people".  
"No" valid generalization could be drawn from

individual comments but the openness and the freedom with which the man in the street and respectable citizens take corruption for granted and talk about it compels us to draw attention to this image which the public has of the Corporation. Delay and corruption as well as rudeness and discourtesy seem to contribute a great deal towards the formation of an unhealthy image about the local self government institution in the capital city. The same may be true about other levels of government but with these we are not

concerned at the moment.

Mutual Attitudes:

It is sometimes profitable to subject ourselves to the appraisal of others with a view to know ourselves as "others see us". This kind of exercise is essential for public servants functioning under a democratic set up so that the gap between the rulers and the ruled is identified. There is often a tendency amongst public officials who often work in isolation from contact with the public to develop a feeling that all is well with them and with their organisations. Such a feeling of complacency clouds their judgement and the officials may fail to notice undesirable forces operating in their midst. In the long run this attitude of indifference to public opinion is detrimental to the organisations they are serving.

Some questions were asked of our respondents about what they felt about the extent of corruption, the efficiency and behaviour of the Corporation Staff. Similar questions were also put to the officials on their estimate of corruption in the Corporation and how they would rate themselves about their efficiency and behaviour.

We have described in the following pages the mutual perception of citizens and officials. The citizens' and officers' responses to a set of statements has also been analysed.

Questions on corruption evoked different and conflicting reactions from the public as against those of the officials. We found the public extremely eager to charge the officials with corruption in general though they were reticent about specifying their personal experiences. On the other hand, the officials were less communicative and they were inclined to play down the extent of corruption amongst themselves. Not surprisingly, therefore, these contrasting attitudes have revealed a wide divergence in the estimate of citizens and officials about the prevalence of corruption in Corporation and in the Buildings Department in particular.

About 60 per cent of our public sample (Table I) was convinced that there was corruption in the Corporation although they differed about its extent; but only 22 per cent of the officials had the same view.

17 per cent of the officials held the view that none was corrupt in the Corporation whereas this opinion was shared by only one per cent of the public. However, there was a substantial percentage among

officials (46 per cent) and the public (34 per cent) who expressed no opinion.

TABLE - I

Estimates of Administrative Corruption  
by Public and the Officials

	<u>Public</u>	<u>Officials</u>
All	15%	9%
Majority	42%	9%
Half	3%	4%
Few	5%	15%
None	1%	17%
Don't know.	34%	46%

Corruption in the Building Department:

The extent of corruption in the Building Department (Table II) evoked similar conflicting estimates from the public and the Corporation officers. As many as 59% of the public have said that half or more than half of the officials of the Department are corrupt. In contrast, only 13 per cent of the officials had expressed the opinion that half or more than half of them are corrupt.

None of the citizens thought that the officials of the Building Department were free from corruption, whereas 43 per cent of the officials had made the claim that none is corrupt in their department.

If these findings are reliable indications of mutual attitudes they suggest great differentials in the confidence which the public and the officials have in the integrity of the personnel in the Building Department.

TABLE - II

Estimates of corruption in the  
Building Department:

	<u>Citizens</u>	<u>Officials</u>
All	15%	6%
Majority	39%	2%
Half	5%	5%
Few	3%	13%
None	-	43%
Don't know	38%	31%

The wide divergence in the mutual perceptions of citizens and officials on corruption has already been mentioned. This trend continued to show up when the officials and the citizens were questioned on matters like courtesy and efficiency.

75% of the public have rejected the idea that the officials of the Corporation are courteous and considerate towards the public (Table III). But the officials seem to have a more favourable estimate about the public perceptions of their behaviour.

Nearly 79% of them hold the view that a majority of the public would say that they are courteous and considerate in their dealings with them.

TABLE - III

Officials of the Corporation are  
courteous and considerate:

<u>Response</u>	<u>Public</u>	<u>Officials</u>
Agree	6%	79%
Disagree	78%	8%
Don't know	13%	13%
Qualified - approval.	3%	-

Both the public as well as the officials were asked to evaluate the working of the Corporation.

This was a further attempt to get at their views on the functioning of the Corporation generally. Once again we find the contrasting opinions apparent in their judgements. (Table IV).

54% of the officials think that the Corporation is doing a good job. This opinion is endorsed by only 7 per cent of the public. In actual fact, 72 per cent of the public have advanced the opinion that Corporation is performing a poor job. It is significant to note that a little more than a third of the officials sample also expressed the same opinion.



It would seem that a majority of the officials are living in a world of unreality and make-believe in their evaluation of popular conception about them on matters like integrity, courtesy and efficiency. Such a disparity in attitudes is not a healthy sign as regards the mutual relationships of citizens and officials of the Corporation.

TABLE - IV

Evaluation of the Working of  
the Corporation

<u>Response</u>	<u>Citizens</u>	<u>Officials</u>
Doing a good job.	7%	54%
Doing a poor job.	72%	39%
No opinion.	21%	7%

Analysis of Statements:

Some identical statements were made both to the officials and to the citizens and they were asked to express agreement or disagreement. (Table V) Questioned as to whether they believed "there will always be corruption in our society" we find a sharp cleavage of opinion among officials and citizens. Nearly 41% of the citizens feel that there will always be corruption in our society; whereas only 22% of the officials seem to think so. There

appears to be more confidence among officials that corruption will not be a permanent feature of our society since 78% of them disagreed with the statement as compared to 53% of citizens.

Corporation officials may be divided in their opinion about the extent of corruption among them and about its causes, but there is a wide measure of agreement that low salaries are not the reason. Four-fifths of the officials in the sample <sup>with</sup> have disagreed ~~the~~ statement: "The salary of the Municipal officials is low, so they have to take bribe". Curiously, however, 41% of the citizens seem to attribute corruption among Corporation officials to their low salaries.

Corporation employees appear to be emphatic in their belief that "citizens are more responsible for corruption than officials". 76% of them blame the citizens, whereas only 23% of the public were prepared to admit that citizens were more to be blamed. Actually, 42% of the citizens squarely blame the officials for corruption.

Normally there is considerable delay in getting things done from any of the Corporation offices. We wanted to ascertain whether this could be because of overwork and/or poor working conditions. 65% of

the citizens did <sup>not</sup> attribute delay to these factors, but <sup>being</sup> 83% of the officials attribute delay to their <sup>over-</sup>worked and their working conditions being far from satisfactory.

The bye-laws assign certain important functions to the architects. We were interested to know what the citizens and officials think of the role played by the architects. Both the citizens and the officials recognise the useful role the architects perform. 66% of the citizens and 52% of the officials approve of the present system of building plans being submitted through registered architects. In the light of this widespread approval of the vital role of architects by citizens as well as officials, the Corporation should enable the architects to provide a more satisfactory service than they are able to do at present.

The citizens were asked to express their opinion on the advantages of centralizing the approval of building plans of 300 sq. yards and below at the Headquarters. We particularly asked this question of those whose plots were 300 sq. yards and below and also the Zonal Officials whether the plans would be sanctioned quickly if the Headquarters staff dealt with them. 63% of the citizens do not favour

the idea. The officials also appear to be strongly against it. 76% of them are in favour of the present system of plans of 300 sq. yards and below being sanctioned by the Zonal Offices.

In regard to the present system <sup>of</sup> building plans for 300 sq. yards and above being sanctioned at the Headquarters, 81% of the officials favour the continuance of the present system, 31% of the citizens would like these plans also to be approved at Zonal Offices; however 36% of the public seem to feel that it makes no difference whether these plans are sanctioned at Headquarters or at Zonal Offices.

We put the suggestion both to the citizens as well as the officials that, possibly, the appointment of a qualified Section Officer to deal exclusively with approval of Building Plans and issue of Completion Certificates would eliminate delay. This suggestion found ready favour with both officials and citizens; 56% of the citizens and 85% of the officials lent their support to this view.

Another of our suggestion which was approved by 56% of the citizens and 70% of the officials related to the statement that "about fifty per cent of the field staff of the Building Department who belong to the clerical cadre should be replaced by

qualified section officers" to improve efficiency.

A majority of the officials have generally reacted favourably to our suggestion that a central cell be created by the Headquarters to maintain records both as regards sanctioned plans and completion certificates.

So also our suggestion for the creation of a central cell for checking the C.C. which are issued to the citizens was approved by a majority of the officials.

TABLE - V

	<u>Citizens</u>				<u>Officials</u>			
	<u>Agree</u>	<u>Disagree</u>	<u>Don't know</u>	<u>Quali- fied approv- al</u>	<u>Agree</u>	<u>Disagree</u>	<u>Quali- fied approv- al</u>	<u>Don't know</u>
There will always be corruption in our society.	41	53	6	-	22	78	-	-
The salary of the Municipal officials is low; so they have to take bribe.	41	49	10	-	20	80	-	=
Citizens are more responsi- for corruption than officials.	23	42	4	31	76	2	9	13
The officials of the Muni- cipal Corporation are overworked and their work- ing conditions are poor; so these contribute to delay.	12	65	19	4	83	11	6	-

	<u>Citizens</u>				<u>Officials</u>		
	<u>Agree</u>	<u>Disagree</u>	<u>Don't know</u>	<u>Makes no difference</u>	<u>Agree</u>	<u>Disagree</u>	<u>Don't know</u>
Do you approve of the present system of architects acting as agents.	66	30	4	-	52	24	24
Do you think it will help if all the plans are sanctioned by Headquarters.	18	63	15	4	13	76	11
Do you think it will help if the plans are sanctioned by zonal staff.	31	17	16	36	13	87	-
Do you approve of the appointment of qualified Section Officers.	56	17	23	4	85	10	5
At present about 50 per cent of the Building Staff belong to clerical cadre. Do you want the clerical staff to be replaced by Section Officers.	56	17	23	4	70	22	8





CHAPTER - X

Conclusions & Recommendations

Part - I    General Conclusions

The foregoing chapters give a detailed descriptive account of our findings and recommendations. In this chapter we wish to draw attention to some general aspects that may be of interest and use in further studies of citizen and municipal government. Some of the limitations in the study are also mentioned below.

Firstly, we wish to point to the sample. Originally, we drew a sample of 430 citizens but we could interview only half the number. The reasons for the drop in the number are: Out of the sample of 430, there were 75 vacant plots; 74 incorrect addresses; 20 respondents were out of town; and 37 respondents either refused to be interviewed or they were inaccessible.

The smallness of the actual sample, in our view, is not much of a handicap. This is because the experiences of the citizens that could not be interviewed might not be qualitatively different from those interviewed. In other words, the sample could be regarded as representing the universe. We feel that perhaps it would have been better if we had covered all the zones by taking a sample in each zone. The

physical coverage of all the Zones may have greater significance than covering a large number of houses in a few zones. We would suggest that this point may be considered in future studies.

Secondly, we have included in our questionnaire a number of questions regarding age, caste, occupation, income etc. These variables, we thought, could be of significance in interpreting the data. But, after analysis of the data, we did not find them to contribute to any significant variations in the experience of citizens in their dealings with the various categories of the personnel of the Buildings Department.

Administrative procedures and civil service personnel, by and large, help or harass the citizens more from the standpoint of impersonal uniformity or personal self-interest than out of considerations of caste, age, occupation or other variables.

We, therefore, suggest that in future studies of citizen-administration interactions, the variables to be studied must be identified and approached differently from the conventional classification of age, sex, occupation, etc.

Thirdly, the study of a single department forming part of a whole organisation, like the Corporation, has its limitations. The Building Department is a part

of the Engineering Department which is an important wing of the Corporation. Transfers from the Building Department to other Units of the Engineering Department are quite common. This study could not possibly bring out the inter-relationship between Building Department and other allied organisations like the Town Planning Organisation. This unit of the Engineering Department is administered both at the zonal level as well as at the Headquarters level by generalist administrators who may not appreciate all the difficulties of the Building Department. At the Headquarters the Deputy Commissioner, and at the Zonal level, the Zonal Assistant Commissioners are in overall charge and they can transfer their staff from the Building Department to other Departments. The study of a Department which functions within the framework of a larger organisation where there are elected representatives. Standing Committees and permanent Executives consisting of both generalists and specialists, is not easy. It is very difficult to determine the exact influence of the pulls and pressures and the motivations of the officers in such a situation. However, we have made an effort in the direction of understanding the play of these multiple forces. Future studies may consider this aspect for more detailed study.

Our Report has highlighted some of the essential maladies in our administrative system, particularly at the level where the citizens come into contact with the action level of Administration. In this, and in a number of other studies conducted by us in the Institute, the major handicap is that of adequate and proper communication from the Government to the citizen. The citizens are not well informed about rules and regulations because the communication is defective and the language of the communication is dysfunctional. A natural corollary of inadequate communication is the opportunity opened up for unscrupulous civil servants to harass the citizens either through delays in disposals or through 'blackmailing' them into paying heavy sums for getting out of easy compoundable offences. Many of these maladies or malpractices in Administration are, in our view, directly caused by the low calibre, poor knowledge and unhealthy attitudes of the middle range personnel of the Department. These are hampering proper supervision and enforcement of the rules and regulations. Inadequate or improper supervision is responsible for a large number of deficiencies in the citizen-Government relationships. Very few could deny the proposition that supervision could be rendered more effective, provided the top-level personnel bring to bear a

greater sense of duty and better system of work-methods. We presume that their calibre is high and that their integrity is undisputable. If this assumption is correct, improvements in environment, equipment and work methods may go a long way towards improvement in administration. We could make a beginning with improvements in filing system and statistical information about individual plots/houses.

We have made detailed and concrete recommendations about many of the deficiencies and defects in the working of the Building Department. There is no need to repeat them here. However, we would like to reiterate the need for evolving effective and functional media and methods of communication to the different levels of personnel within the department and to the interested citizens at large. Further to this, the personnel of the department coming into direct and frequent contact with citizens should be trained to cultivate an attitude that helps and facilitates the citizens to comply with the requirements as to preliminaries about documents, prescriptions about plans the serious implications of occupying the houses without obtaining completion certificate. In our view, the Building Department should not regard itself merely as a regulatory department. It should consider itself as a servicing department and should take all steps to



create such an image in the public mind. If the citizens are informed and helped ab initio, we are sure that many maladies and malpractices would be reduced. An achievement of this goal requires the building up of an effective system of supervision and a high morale among the staff from top to bottom. We are convinced that unless the general atmosphere of the whole milieu in the functioning of the Municipal Corporation is changed, isolated efforts at improvements in a single department are likely to be frustrated. For this reason, we are inclined to suggest the appointment of a study team to make a comprehensive survey of Municipal Corporation's administration with a view to stream-lining its overall approach and operation. This is a new suggestion which is not in the main body of the Report and this suggestion is for consideration by the concerned authorities.

Two other matters to which we wish to draw attention in this concluding chapter refer to (1) a citizens' body to keep watch on administration under the Building Department and (2) the desirability of a review and revision of the Building bye-laws from the standpoint (a) of their rationality in the context of the type of citizens that are interested in constructing buildings; (b) of the need to encourage and accelerate private building constructions and

(c) of promoting the vertical expansion of the city in future. On the first point we wish to appeal to the enlightened citizens to form Citizens Advice and Service Bureaux so as to protect the common man from exploitation by the routine-ridden and secrecy-worshipping civil service. They need not stop there. They could also help honest and enlightened administrators to grow in number by protecting them against self-seeking and que-jumping dishonest citizens.

On the second point we hesitate to make any suggestions because we are aware of lack of technical knowledge in us to assess the many and varied prescriptions made about building construction. As lay people we found that the prohibition on vertical structures is dysfunctional; the rules about setbacks about heights and open-spaces may need revision. Supply of water and electricity before the issue of completion certificates may also be reviewed and revised in the light of administrative competence and sociological demands.

Finally, we wish to draw attention to two further aspects that demand the attention of policy-makers and administrators. The first refers to the growth of unauthorised constructions and colonies. To check these is one of the integral functions of the Building Department. We could not study this partly because

it is outside of our terms of reference, and partly due to limitation of resources. There is, however, no doubt that this aspect of the housing problem deserves study from the larger politico-sociological and administrative aspects. The second refers to the ~~macro-~~<sup>macro</sup> aspect of how best to solve the housing problem of expanding cities with varying income groups and sub-cultures. We are not sure whether the present organisational set-up consisting of multiple authorities with competing or conflicting degrees of powers, resources and responsibilities is adequate for facing, if not solving, the larger issue of providing private dwellings by public authorities. Housing the citizens in growing cities is a complex issue which throws a challenge for its solution to all - politicians, administrators, sociologists, economists, architects, planners and town planners etc. It is for consideration whether a high-power Housing Board should be constituted with representation on it for various interests, professions and disciplines. This may not necessarily be an implementing body. This may be a perspective planning and advisory body.

The suggestions contained in this Report are of micro and macro-significance. Problems in other cities in India may not be different. However, we hope that

the Delhi Municipal Corporation, the Delhi Administration and the Union Government find out suggestions useful for immediate as well as phased implementation over a period of time. We also hope that our suggestions will ultimately lead to greater satisfaction among citizens and more fruitful mutual cooperation and better image between citizens and Government.



Part-II

SUMMARY

Chapter - I

<u>Sl.No.</u>	<u>Page No.</u>	<u>Conclusion</u>	<u>Recommendation</u>
1.	13.	Though Delhi has been expanding in all directions, yet no Muslim figures in our sample. This could possibly mean that this minority community continues to live in areas which were established long ago.	

Chapter - II

Building Department

2.	24-25	The powers of the Corporation in respect of Building Bye-laws are subject to the overriding powers of the Central Government.	The Authorities should reconsider the powers of the Corporation in so far as framing of the bye-laws is concerned.
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Chapter III      Approval of Building Plans

<u>Sl.No.</u>	<u>Page No</u>	<u>Conclusion</u>	<u>Recommendation</u>
3.	25-36	The Department is required to give an acknowledgement to the applicants indicating therein the date on which the architect can make corrections in the building plan and the date on which the case will be put up before the Building Plan Committee. This procedure is not being followed in any of the zones.	The procedure which has been laid down must be followed in order to avoid harassment to the citizen.
4.	37	A large number of invalid notices are issued for non-submission of documents required by the Building Department .	Pre-acceptance scrutiny of the building plan applications should be thorough and no building plan application should be accepted unless it is accompanied with the requisite documents.
5.	39	The various registers prescribed by the Manual of Instructions are not being maintained by the Section Officers/ Building Inspectors.	The higher level officers should insist upon the up-to-date maintenance of registers in a proper form.
6.	38	There is delay in the submission of cases to the higher officers.	The three functions of the Building Department, i.e. scrutiny of building plans, issue of completion certificates and detection of unauthorised constructions should not be combined in a single individual. The work should be distributed not on an area-wise but on an area-cum-functional basis. There should be separate staff for scrutinising the building plan applications. This will reduce delays in the submission of cases to the Zonal Engineers and Building Plan Committees.

<u>Sl. No.</u>	<u>Page No.</u>	<u>Conclusion</u>	<u>Recommendation</u>
7.	40	The Assistant Engineers do not check the registers of their respective zones.	Absence of checking leads to unhealthy practices and this should be regarded as a serious lapse of duty on the part of the Assistant Engineer.
8.	41-42	It is not the absence of instructions but the failure to follow the instructions and inadequate supervision to ensure that the instructions are followed that are mainly responsible for the shortcomings that exist in the Buildings Department of the Corporation in so far as expeditious sanction of building plans is concerned.	<p>i) A schedule of requirements should be prepared and each building plan application should be checked with reference to this schedule.</p> <p>ii) Supervision must be tightened to ensure adherence to formal procedures laid in the 'Manual of Instruction' for the staff of the Building Department.</p>

#### Chapter - IV

##### Working of the Building Plan Committee System

9.	49	The Committees were set up so as to enable the citizens to represent their points of view to the Deputy Commissioner or Assistant Commissioners and to enable the representatives of various allied Departments to sit together. These Committees are not functioning in the manner in which they were conceived.	<p>There is an urgent need for rethinking on this subject. If the purpose of the Building Plan Committees is to avoid inter-departmental references, then the Town Planner's representative should be given full powers to give decisions on behalf of his Organisation in the Meeting itself.</p> <p>2. If the purpose is to have a high-level technical committee for accepting or rejecting the building plans purely from a technical point of view,</p>
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<u>Sl. No.</u>	<u>Page No.</u>	<u>Conclusion</u>	<u>Recommendation</u>
			then it will be advisable to associate an architect's representative on the deliberations of this Committee. The agenda should indicate the technical problems on which the decision of the Committee is required, instead of recommending the cases for being sanctioned "subject to corrections being fulfilled" or "subject to conditions as laid down in the file" etc. being carried out.
			3. If the purpose of the Committee is to provide an opportunity to the citizens to plead their cases, then it is essential that the citizens are informed before-hand as to when their cases are coming up for consideration, and it would also be essential that the Deputy Commissioner at the Headquarters level and the Zonal Assistant Commissioners at the zonal level are invariably present at these meetings.
			4. If the decision is to have this Committee as a watchdog for avoiding delays in the Building Department, then only those cases should be referred to the Committee which have been pending beyond a period of time say, 15 days. In such a situation, the Zonal Engineer or the Executive Engineer should be given

<u>Sl.No.</u>	<u>Page No.</u>	<u>Conclusions</u>	<u>Recommendations</u>
			full powers to decide all the cases and if they fail to take decisions in the specified period, the cases should be referred to the Building Plan Committee with an explanation as to why the case has not been decided so far.
			There is need to state the objectives of the Building Plan Committee clearly so that the individual members of the Committee realise their responsibility as a team and are accountable for short-comings in their performance, if any.

#### Chapter - V

#### Sanction of Building Plans - Citizens' experience

10.	57.	Our findings do not sustain the claims made in a pamphlet issued by the corporation in 1965 that Building Plans are finalised in 15-20 days.	Much of the delay is avoidable and plans duly sanctioned should be handed over to the citizen within 20 days which we consider to be reasonable time. (p.82)
11.	59-65	There is delay in sanctioning of Building Plans even when the plans are technically correct. The delay is caused by the Issue of Invalid notices which are invariably issued in almost all the cases. The issue of invalid notices shows that the citizens by and large are not aware of the documents which they have to submit along with their Building	We suggest that the Corporations should supply to the citizen cyclostyled or printed copies containing requirements to be fulfilled by them along with the Building Plan application forms. 11) There should be pre-acceptance scrutiny of the Building Plan applications to ensure that all required documents have been



Plans and the Architects also do not take the trouble to comply with all the formalities while submitting plans. The citizens are also ignorant that they have to fulfill some preliminary conditions before their Building Plans can be accepted by the Corporation. This show there is a wide gap of communication between the citizens and the administration 94 per cent of the respondents who had constructed their houses were/even aware of the fact that a pamphlet "Facts you must know about your Building Plan" had been printed by the Corporation for the benefit of the Public.

/not

attached with the application.  
iii) Invalid notice should be issued only when the Building Plan Committee detects a technical flaw in the proposed building plan.

12.

70-72

The issue of invalid notices is sought to be justified by the officials on the ground that plans are not accompanied by proper documents and are not in accordance with the bye-laws. The Architects feel that the corporation staff is more interested in fault-finding rather than in helping the citizen and blame the Corporation staff for delay in sanction of Building Plans through/ the gap of communications between the citizen and the administration as well as between the Architects and the Administration about the rules and regulations of the Buildings Department.

There should be institutional arrangements for the flow of informations between the Architects and the Buildings Department so that Architects are not left at the mercy of the Building Inspectors or Section Officers to find out these rules and regulations. Since the Architects are the link between the Administrations and the citizens they have to guide the citizens on proper lines and ensure that the rules and regulations of the Corporation are followed. The responsibility for submitting correct plans should be on the architects and persistent submission of defective plans should

/the mechanism of Invalid notices. Their is a wide

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<u>Sl.No.</u>	<u>Page No.</u>	<u>Conclusions</u>	<u>Recommendations</u>
			lead to the revoking of licenses of such architects

13.	80.	Though there is a general impression that corruption prevails everywhere, yet the citizens' replies to questions on this aspect do not support this impression. The Architects have alleged that invariably they have to pay small amounts to officials at lower levels to expedite sanctions in almost all cases.
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#### Chapter - VI

##### Inspection

14.	84	The inspection at the Building Plan approval stage is primarily required to verify the Building Plan submitted by a citizen with reference to the actual size of the plot and its layout. We find that inspection at this stage is perfunctory and most of the files are completed only in the office.
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15.	85-88.	Our data reveals that the Corporation staff rarely visited the site to verify whether a construction has actually started on a particular date or not even when a notice is served. No action is taken against those who do not serve such a notice.	The rules about commencement notice demand strict enforcement and further a schedule of inspection after receipt of commencement notice must be prepared and enforced. The rules should be amended to make the Building Plan valid for a period of two years which may be regarded as reasonable time for completing the constructing of the house
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<u>Sl. No.</u>	<u>Page No.</u>	<u>Conclusion</u>	<u>Recommendation</u>
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from the date of sanction of the building plans. However for starting the construction work, a period of six months from the date of Issue of sanction of the plan should be insisted upon. The date of commencement should be communicated to the Department

with a view to enable initial inspections at the stage of laying the foundation. We strongly recommend the inspections of the foundations without fail because later on this type of inspection is almost impossible. In case the building is not erected or completed within this period, the sanction should be held to be invalid and the citizen should be required to approach the Corporation for getting his sanction revalidated.

16. 90-92.

No inspection was carried out by the Corporation staff during the course of construction, nor any advice or help was rendered by the Corporation staff in the case of majority of the officials said they had no time for this work which they considered to be unnecessary and superfluous.

of our respondents. A major-ity.

It will be in the best interests of good administ-rations if the Corporation performs not merely its regulatory duties but also, the interests of the citizens by rendering advice and assistance without grudge. Our data indicates a serious omission on the part of the Building Department to provide this basic and essential service to the house-builders in Delhi. We suggest that the Corporation should start a consultancy service as

<u>Sl.No.</u>	<u>Page No.</u>	<u>Conclusions</u>	<u>Recommendations</u>
			part of the activities of the Buildings Department and make available the services of its experts in respect of preparation of plans and the execution. This may be operated on the lines of a public utility service.
17.	94-97	According to our data the Building Department staff, appear to take more seriously their duties of carrying out inspection at the time of issue of completion certificates. A good deal of discretion vests with the lower staff as regards reporting or non-reporting of deviations and some unscrupulous member of the staff utilize this opportunities for their own ends.	The harassment could be reduced provided some advice and guidance is made available to the house-builder by the Building Department during the course of construction. In our opinion the Building Department which is entrusted with the important job of regulating Building activities should set in motion its inspection machinery right from the inception of construction and not when the construction has already been completed.

#### Chapter - VII

##### Completion Certificate - Citizens' experiences

18.	101.	71 per cent of our respondents could not get their completion certificates within the stipulated period of one month.	A schedule for disposing of applications for the issue of completion certificates has been recommended (page 132).
19.	103.	The citizens make deviations deliberately at the instance of the architects/contractors in the hope of getting them regularised at a later date.	It is the responsibility of the citizens themselves to conform to sanctioned building plans. There is need for voluntary cooperation and self-imposed restraint from the public. They should not flout the rules, but should strict to regulations.

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<u>Sl. No.</u>	<u>Page No.</u>	<u>Conclusion</u>	<u>Recommendation</u>
20.	111-115.	<p>Corruption seems to be widely prevalent at the stage of issue of the completion certificates. The citizens show a curious reticence in discussing their own responsibility for encouraging corruption.</p> <p>As we see it, corruption is prevalent because (a) the public makes deviations from the original plans, (b) the Building Department staff is used to taking/making money, (c) the higher officers of the Corporation do not inspect the buildings, and (d) the rules are not known/nor made known to the public.</p>	<p>It appears difficult to suggest cut and dry methods to eradicate corruption at this point. A greater awareness and knowledge of the rules could enable the honest citizens to fight corruption. In the case of those citizens who make major deviations and get them over-looked in collusion with corrupt staff, the only remedy is a more thorough, efficient and systematic inspection by the higher officials.</p> <p>2. The deviations which a citizen can make and the legitimate penalty chargeable for the same should be made known to the citizens.</p> <p>3. Stern action should be taken against those citizens who deliberately make major deviations, such as excess coverage, non-conformity to setbacks, etc. and demolition of such structures should be resorted to. Such action would have a salutary effect and may possibly act as a deterrent to future house-builders.</p>
21.	116	<p>The house owner is informed about the lumpsum to be paid as compounding fees but is kept in the dark as to how the amount was arrived at.</p>	<p>If the rules are not well-known, the citizen is likely to plead with the officials concerned for getting reductions in the compounding fees. This inevitably leads to unhealthy practices and offers ways and means to</p>

<u>Sl.No.</u>	<u>Page No.</u>	<u>Conslusion</u>	<u>Recommendation</u>
			corrupt officials to make easy money. The penalty chargeable should be communi- cated to the citizens in writing and the officers should see to it that the amount comes to the Corpor- ation.
			A comprehensive list of deviations and penalty chargeable for each devia- tion should be prepared by the Department and this should be circulated amongst the house-owners.
22.	118.	At present a citizen can ask for a re- consideration of the penalty imposed on him by getting in touch with Zonal Assistant Commis- sion or the Executive Engineer. This procedure in our view is inadequate.	The citizens should have a right to appeal to a Board on which may be coopted some architects and citizens' representatives to consider all appeal cases. The right of appeal to the Board should be communicated to the citizens while intimating the penalty charged.
23.	118-121.	It <sup>is</sup> common knowledge among the officials that a majority of the houses which have been constructed in the recent past have been occupied without prior permission from the corporation. 69 per cent of our respondents occupied their houses without obtaining completion certificates and the Corporation did not take any action. The Corporation has not evolved adequate machinery for checking whether the building for which plans have been sanctioned by it, has	The Corporation must evolve an adequate administrative machinery for keeping a watch on the construction of houses for which plans had been sanctioned and it should insist that Completion Certificates be obtained by the citizens before houses are occupied.



<u>Sl. No.</u>	<u>Page No.</u>	<u>Conclusion</u>	<u>Recommendation</u>
		been constructed or not and whether, after the construction, the owner has applied for a completion certificate or not.	
24.	123	Not time and date is given to the citizens for the carrying out of the inspection, and the Corporation staff gets / their legal responsibility of issuing the completion certificate in 30 days by communicating to the citizen that his house is locked and therefore he should fix an appointment for carrying out the inspection.	The Corporation should inform the citizens about the time and date for inspection as soon as an application for the completion certificate is received in the office.
25.	124	There are a number of deficiencies in the working of the Building Department both as regards inspection procedures and as regards the disposal of citizens' applications for the issue of completion certificates.	<p>The inspection required for issuing a completion certificate is a technical job and it can be handled by staff specifically trained for this purpose. At least one or two Section Officers should be specially trained for this purpose, and they should be exclusively responsible for dealing with completion certificate applications.</p> <p>Regular and systematic supervision of Section Officers' work by the Zonal Engineer, coupled with surprise checks by the Executive Engineer and the Zonal Assistant Commissioner should lead to the elimination of many of the existing malpractices.</p>

<u>Sl. No.</u>	<u>Page No.</u>	<u>Conclusion</u>	<u>Recommendation</u>
			<p>There is an urgent need for stricter control by the Headquarters on the functioning of the Zones in respect of issue of the completion certificates.</p> <p>Cases pending for more than a month should be reported to the Headquarters and it should be the duty of the Headquarters to look into these reports for taking suitable action.</p> <p>If the citizen does not pay the penalty, the Corporation should take legal action to prevent him from occupying the house. If the inspection has not been completed, or it has not been recorded, action must be taken against the officers who are responsible for delays.</p> <p>Detailed procedure for handling the completion certificate applications has been indicated on pages 131-132 of the Report.</p>

#### Chapter-VIII

##### Building Department: Staffing Pattern and Problem

26.	134-140	We had interviewed 7 Zonal Engineers, 20 Section Officers and 17 Building Inspectors. The data on their educational qualifications shows that the Zonal Engineer are either Graduates in Civil Engineering
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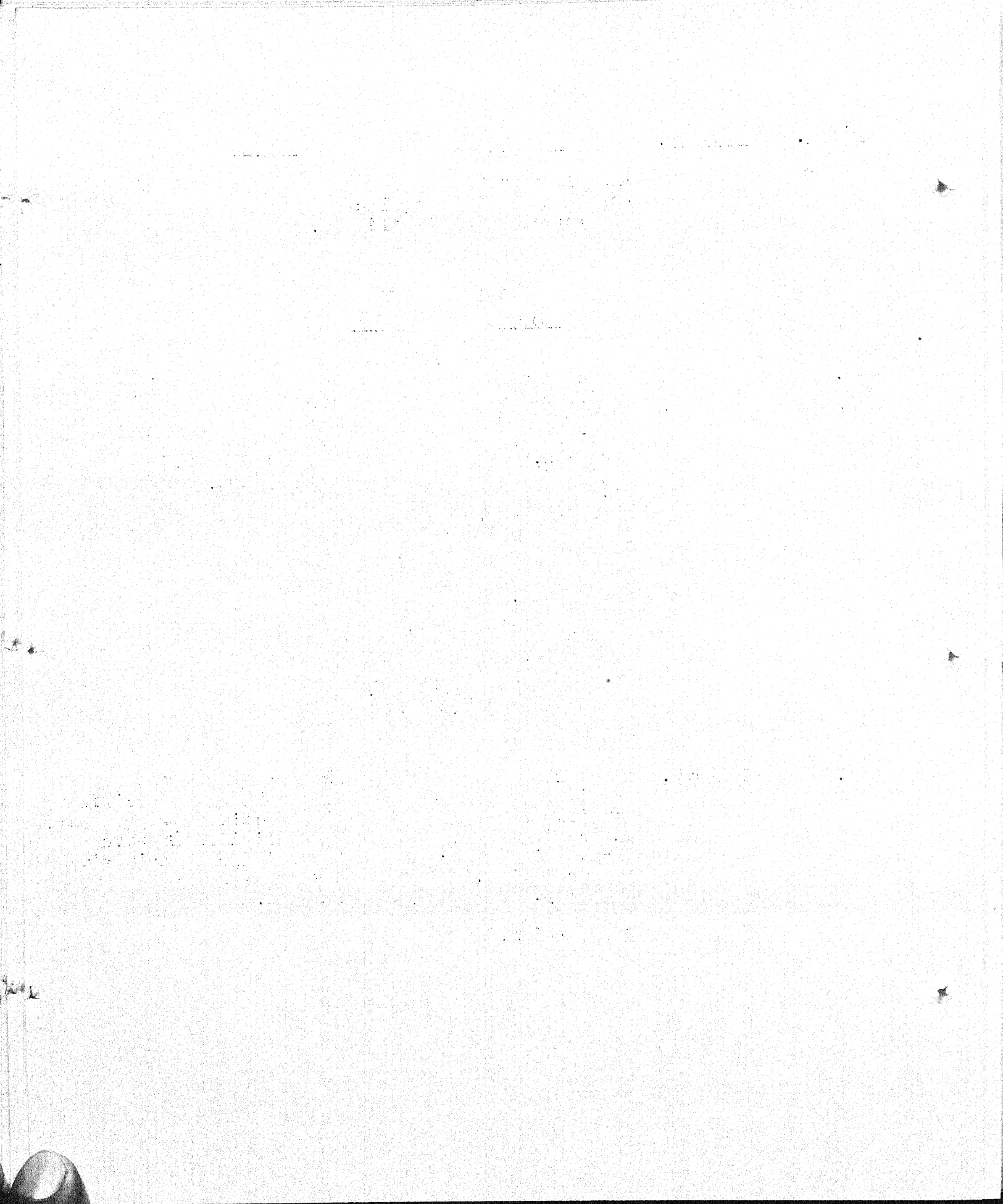
<u>Sl. No.</u>	<u>Page No.</u>	<u>Conclusion</u>	<u>Re commendation</u>
		recruited directly or promoted after being a Section Officer for 7 years. All the Section Officers have a Diploma in Civil Engineering.	
		All the Building Inspectors are matriculates. Majority of the officials have been Corporation Employees for a period ranging from 5-20 years but most of them are recent entrants into the Buildings Department.	
		Further our data reveals that whereas Building Inspectors and Assistant Engineers have held one other position prior to their present one, the Section Officers who have between 2-10 years experience continue to hold the same position.	
		A majority of the officials said they find their jobs uninteresting and we found a strong relationship between lack of career mobility in Corporation service and job dissatisfaction.	
27.	141-142	The Zonal Engineers at present work under a dual control. Policy files and problems of technical nature have to be referred to the Executive Engineer who is their immediate superior. They are however under the administrative control of the	The Zonal Engineers, in our opinion, should be directly responsible only to the Executive Engineer though for purely house-keeping and administrative purposes, they should be responsible to the Zonal Assistant Commissioner. Transfers of Personnel within the Building Department should be exercised by the

<u>Sl.No.</u>	<u>Page No.</u>	<u>Conclusion</u>	<u>Recommendation</u>
		Zonal Assistant Commissioners who are generalist administrators. Although the Zonal Engineers are competent to approve Building Plans and issue completion certificates, they can at present do so only with the concurrence of Zonal Assistant Commissioners.	Executive Engineer and the Zonal Assistant Commissioner should not interfere in the assignment of work to Section Officers or Building Inspectors.
28.	143-144	The duties of the Building Inspectors and Section Officers are interchangeable. The term 'Building Inspector' is a misnomer as the staff so designated have no technical qualifications but are assigned work of a technical nature.	In our opinion work pertaining to scrutinisation of Building Plans and inspection of houses for the issue of completion certificates should not be assigned to the non-technical staff. This work requires technical competence and only Section Officers who have the necessary technical qualifications should be assigned this work. The U.D.C's who are at present employed as Building Inspectors should be either transferred to some other non-technical Department or they should be assigned duties such as detecting unauthorised constructions and supervision of their demolitions.
29.	144-145.	A Section Officer once assigned to the Building Department remains in the Building Department for long though he may be transferred from one zone to another at periodical intervals.	The Section Officers should be rotated at regular intervals in the Engineering Department of the Corporation. An initial stint of three years in the planning Department followed by another three years in the works Department should precede their posting

<u>Sl.No.</u>	<u>Page No.</u>	<u>Conclusion</u>	<u>Recommendation</u>
			in the Buildings Department. This rotation will enable the technical staff to accumulate enough expertise.
30.	145-146.	The Architects have expressed the view that the success of the enforcement of the Building code depends on the integrity and devotion to duty of the field staff as well as their technical ability to detect deviations and interpret the Building Bye-laws.	It is recommended that the Building Department should be manned primarily by technically qualified staff.
31.	146-148.	None of the 54 officials whom we had interviewed had received any training for the job they have been entrusted with.	Modern Municipal Government demands skills, knowledge and attitudes which can be acquired only through training. As the impact of city Government on Urban life has grown, the need for training and retraining has become urgent and necessary.
32.	156.	The officials of the Building Department have grievances both against the public as well as against their own organisation. Complaints against the public relate to submission of defective plans by citizens and exercising pressure on them to get illegal things done. Complaints against the organisation relate to poor working conditions. There is no proper seating arrangements	Much remains to be done by the Corporation in informing and educating the citizens about their responsibilities. The Corporation employees themselves should be courteous and polite in their behaviour towards the public.  Immediate attention must be paid to remove all these organisational deficiencies. Satisfactory working conditions are a necessary preliminary for better morale and more efficient performance of duties by the personnel.

<u>Sl.No.</u>	<u>Page No.</u>	<u>Conclusion</u>	<u>Recommendation</u>
		and all the files are heaped up because of lack of proper filing facilities.	
<u>Chapter - IX</u>			
<u>The Corporation Image</u>			
33.	159-161.	There is widespread dissatisfaction about the services and amenities provided by the Corporation. The hostility of the citizens towards the Corporation and consequently to the whole system of Local Self-Government is widespread.  Delay and corruption as well as rudeness and discourtesy are the main factors responsible for the poor image of the Corporation.	The public relations aspect seems to be a neglected field and the Corporation Authorities should pay attention to this aspect of the problem.
34.	161-166.	There seems to be a wide gap in mutual perceptions between the citizens and Corporation officers on corruption, courtesy, efficiency and working of the Corporation.	The hiatus between the officials and the citizens will continue to grow unless the officials improve their image by maintaining a very high standard of conduct.



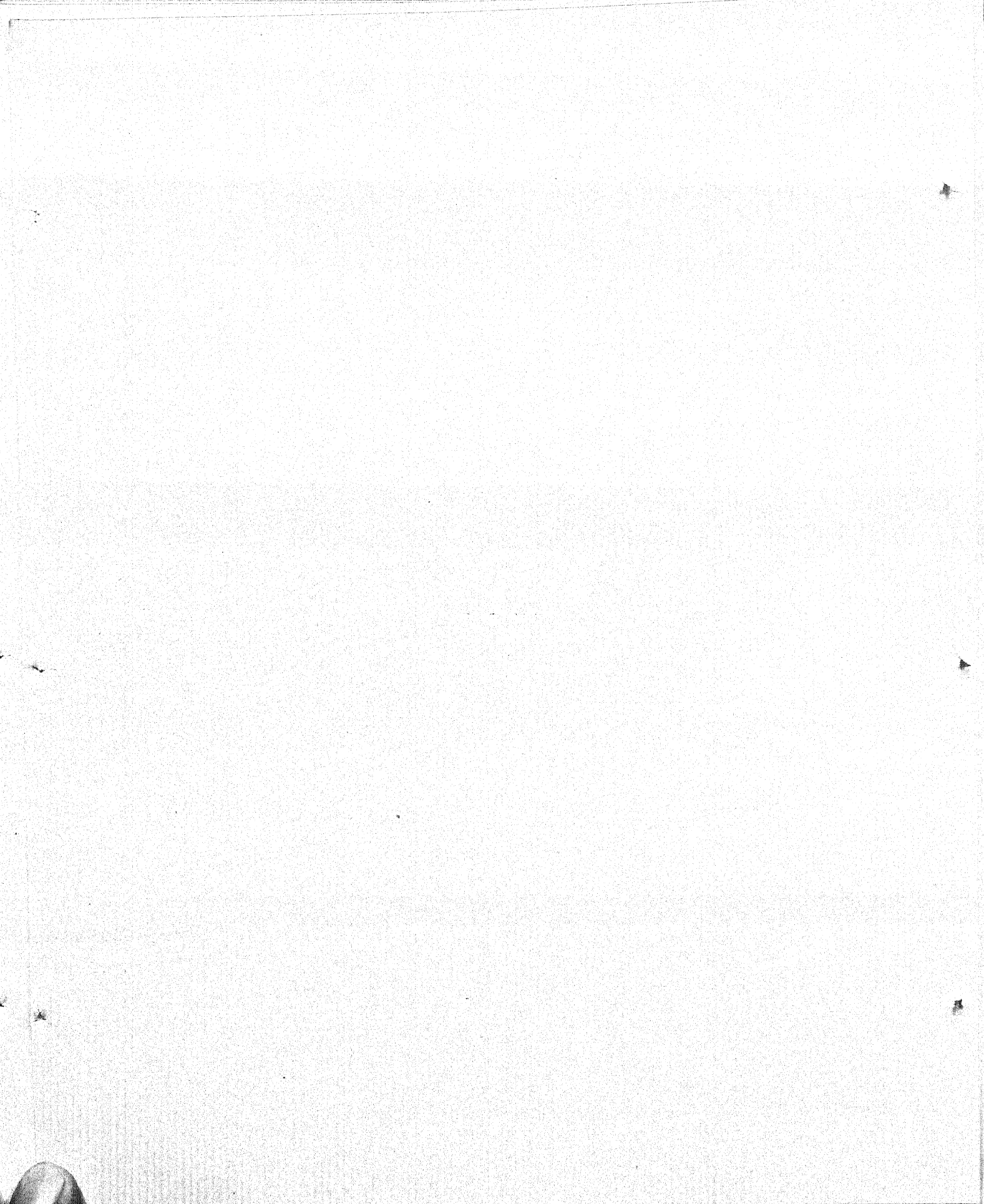


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ANNEXURES

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D4

INDIAN INSTITUTE OF PUBLIC ADMINISTRATION  
INDRAPRASTHA ESTATE, RING ROAD, NEW DELHI.

Prof. V. Jagannadham,  
Professor of Sociology  
& Social Administration.  
Project Director.

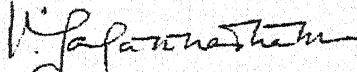
Dear Respondent,

The Indian Institute of Public Administration is currently conducting, on behalf of the Home Ministry, a study of the Buildings Department of the Municipal Corporation of Delhi. The main focus of the study will be on the experiences of citizens in getting their Building Plans sanctioned and in obtaining the Completion Certificate. With this purpose in view, we are interviewing a cross-section of people in New Delhi South, West and Shahdara Zones. You are one of the persons in our sample. A representative of the Institute will contact you to know about your experience with the Buildings Department in the matter of securing approval of the plan, completion certificates and related matters. We would like you to express your views freely and frankly. The views you express will be treated strictly confidential and we assure you to preserve your anonymity. Your answers will only be used for drawing general conclusions for our study and the names of individuals will not be mentioned in our report.

It is our belief (and I hope you share this belief with us) that studies of this nature would bring about improvements in administrative procedures and would contribute to better Citizen-Administration relationships. We hope you will extend your cooperation to the members of our Study Team who have been deputed to contact you.

Thanking you,

Yours sincerely,

  
(V. Jagannadham)



INDIAN INSTITUTE OF PUBLIC ADMINISTRATION  
INDRAPRASTHA ESTATE, RING ROAD, NEW DELHI.

"Survey of Experience of Citizens with the Building  
Department of Delhi Municipal Corporation"

Interviewer \_\_\_\_\_

Date & Time \_\_\_\_\_

SECRET

SECRET

SECRET



SURVEY OF THE EXPERIENCE OF CITIZENS WITH THE BUILDING DEPARTMENT  
OF MUNICIPAL CORPORATION OF DELHI.

W. \_\_\_\_\_

S. \_\_\_\_\_

SH \_\_\_\_\_

Building Plans

1. How long have you been a resident of Delhi/New Delhi?  
\_\_\_\_\_
2. (i) When did you purchase/acquire your plot?  
\_\_\_\_\_  
(ii) From whom was the plot purchased?  
\_\_\_\_\_  
(iii) What is the area of your plot?  
\_\_\_\_\_  
(iv) How much did you pay for your plot?  
\_\_\_\_\_  
(v) How much commission was paid to the agent through whom the plot was purchased?  
\_\_\_\_\_  
(vi) For how much is your plot registered for?  
\_\_\_\_\_

Knowledge

3. (i) Did you know that the plot was in the approved lay-out?  
Yes \_\_\_\_\_ No \_\_\_\_\_  
(ii) Did you know the land-use of the plot purchased by you?  
Yes \_\_\_\_\_ No \_\_\_\_\_

4. (i) Are you aware that there are some preliminary conditions which the owner of a plot is required to fulfil before the building plan is accepted by the Corporation?

Yes \_\_\_\_\_ No \_\_\_\_\_

- (ii) If yes, could you name some of them?

5. (i) How did you come to know of these pre-conditions?

(a) From any material given to you by the Corporation

(b) From you architect \_\_\_\_\_

(c) From you personal friends \_\_\_\_\_

(d) Through some other source. (please describe)

- (ii) What do you think about these preliminary conditions?  
Are they

Simple \_\_\_\_\_ Complicated \_\_\_\_\_ Satisfactory \_\_\_\_\_

- (iii) Do you think any of these pre-conditions can be simplified?

Yes \_\_\_\_\_ No \_\_\_\_\_ Don't know \_\_\_\_\_

- (iv) If yes, how? (Please describe)

Procedures

6. (i) Are you aware that the Corporation has published a pamphlet called "Facts you must know About your Building Plans"?

Yes \_\_\_\_\_ No \_\_\_\_\_

6. (ii) What from your experience, are the procedures for getting sanction for your Building Plan? (Please describe)

(iii) How did you learn about these procedures?

7. (i) Do you think the procedure is

Simple \_\_\_\_\_ Complicated \_\_\_\_\_ Satisfactory \_\_\_\_\_

(ii) Do you think the procedure needs to be simplified?

Yes \_\_\_\_\_ No \_\_\_\_\_ Don't know \_\_\_\_\_

(iii) If yes, how?

8. (i) Are you aware that the building plan could be rejected by the Corporation unless it is prepared and signed by an approved architect of the Corporation?

Aware \_\_\_\_\_ Not aware \_\_\_\_\_

(ii) Who prepared the plan for your house?

(a) Yourself \_\_\_\_\_

(b) Approved architect of the Corporation.  
(take down the name and address) \_\_\_\_\_

(c) Private architect  
(take down the name and address ) \_\_\_\_\_

(d) Any other person \_\_\_\_\_

8. (iii) Was the Building Plan submitted by you personally or through the architect?

Personally \_\_\_\_\_ Through the architect \_\_\_\_\_

- (iv) When was the plan submitted?

-----

9. (i) How much did you pay your architect for getting the plan prepared?

-----

- (ii) Did you pay the building tax for getting the plan approved from the Corporation?

Yes \_\_\_\_\_ No \_\_\_\_\_

- (iii) If yes, how much?

-----

- (iv) Was an official receipt for building tax issued to you?

Yes \_\_\_\_\_ No \_\_\_\_\_

- (v) Was the Building Tax paid personally or through the architect?

-----

- (vi) Did the architect ask for any additional amount for paying to Corporation staff to get the plan approved?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, how much?

-----

10. (i) Were you given any date for appearing before the Building Plan Committee at the time of submitting your plan?

Yes \_\_\_\_\_ No \_\_\_\_\_

- (ii) If yes, could you please recollect the date?

-----

11. Did you receive any official communication called Invalid notice, asking you to make corrections, modifications, etc.?

Yes \_\_\_\_\_ No \_\_\_\_\_

12. How did you receive the Invalid notice?

(a) By Post from Zonal/Head Office;

or

(b) By going Personally to Zonal/Head Office;

or

(c) Through the Architect

or

(d) Through some other source.

13. (i) How long after you submitted your Building Plan did you receive this Invalid notice?
- 

- (ii) Did you receive the Invalid notice before or after your case was scheduled to come up before the Building Plan Committee?
- 

14. (i) Could you please tell us the objections raised in the invalid notice?
- 

- (ii) What did you do about these objections?
- 

- (iii) Were you able to overcome these objections before the Building Plan Committee took up your case?

Yes \_\_\_\_\_ No \_\_\_\_\_

- (iv) If 'No' did you ask for any postponement of your case?

Yes \_\_\_\_\_ No \_\_\_\_\_

15. Was it your view that the objections were?

Reasonable \_\_\_\_\_ Not Reasonable \_\_\_\_\_ No comments \_\_\_\_\_

16. (i) Did you or your architect appear before the Building Plans Committee to present your case?

Yes \_\_\_\_\_ No \_\_\_\_\_

- (ii) Was your appearing before the Committee useful or not?
- 

- (iii) Were you treated courteously?
-



17. Did you meet any of the members of the Committee before the meeting took place in connection with plan approval? (Please probe about Influence etc.)

18. (i) Was your plan sanctioned as originally submitted by you?

Yes ----- No -----

(ii) How long did it take to get the final approval?

15 days ----- 30 days -----

More than a month ----- More than two months -----

19. (i) Do you consider the time taken for giving the sanctions?

(a) Reasonable -----

(b) Too long -----

(ii) What in your view should be the reasonable time?

-----

Corruption.

20. We generally understand that in order to get the Building Plan approved a citizen has to pay to the Corporation staff. Could you please tell us your experience?

21. Did you have to pay anything to anybody in the Zonal/Main Office to get the plan approved?

Yes ----- No -----

22. (a) If so, to whom?

-----

(b) If so, how much?

-----

23. Did you pay yourself or was the payment made through the agent/Architect?

Self \_\_\_\_\_ Through the agent \_\_\_\_\_

24. Did the Architect/agent suggest the need to pay something?

Yes \_\_\_\_\_ No \_\_\_\_\_

25. If yes, did he also suggest the amount?

\_\_\_\_\_

26. (i) If the payment was made through the architect/agent are you satisfied that he actually passed on the money to someone in the Corporation Office or not?

Satisfied \_\_\_\_\_ Not satisfied \_\_\_\_\_

- (ii) Why did you think it necessary to make the payment?

27. Who in your opinion are responsible for corruption?

Officials \_\_\_\_\_ Architects/Agents \_\_\_\_\_ Citizens \_\_\_\_\_

28. How was your Plan finally approved?

(a) Through normal Procedures \_\_\_\_\_

(b) By Personal follow-up \_\_\_\_\_

(c) Through Architect's help \_\_\_\_\_

(d) Through the efforts of some Councillor of the Corporation  
\_\_\_\_\_

(e) By paying money to officials at different levels.  
\_\_\_\_\_

(f) Through other sources \_\_\_\_\_

29. What in your opinion is the best way of getting the plan approved, with least difficulty?

Completion Certificate

30. When did you start the construction of your house?

31. (i) How long did it take you to complete the construction of your house?

- (ii) Could you please tell us whether you served any notice on the Corporation at the time of starting your construction as required by the Municipal Act/Building Bye-laws?

Served the notice \_\_\_\_\_

Did not serve any notice \_\_\_\_\_

- (iii) If notice was served did any officer of the Corporation visit your site to verify the start of the construction?

Yes \_\_\_\_\_ No \_\_\_\_\_

- (iv) Were any inspections carried out by the Corporation staff during the course of construction?

Yes \_\_\_\_\_ No \_\_\_\_\_

- (v) If yes, how many and at what stages?

32. Could you please detail out for us the difficulties that you experienced during the construction of your house?

- (a) Shortage of materials \_\_\_\_\_  
(b) Labour problem \_\_\_\_\_  
(c) Any other reason \_\_\_\_\_

33. (i) Did you have to get your plan revalidated from the Corporation?

Yes \_\_\_\_\_ No \_\_\_\_\_

(ii) If yes, what was the need for getting revalidation?

(iii) Was there any difficulty in getting revalidation?

Yes \_\_\_\_\_ No \_\_\_\_\_

(iv) How much time did it take? \_\_\_\_\_

(v) Was there any need to pay money besides the revalidation Tax/Building Tax for getting revalidation?

Yes \_\_\_\_\_ No \_\_\_\_\_

(vi) If yes, how much and to whom?

-----

34. Was your construction exactly in accordance with the plan approved by the Corporation?

Yes \_\_\_\_\_ No \_\_\_\_\_

35. (i) If no, what were the nature of the deviations?

(ii) Were these deviations deliberate or accidental?

Deliberate \_\_\_\_\_ Accidental \_\_\_\_\_

(iii) Could you please give reasons for these deviations?

35. (iv) Were these deviations at your initiative or at the initiative of the architect?

Your Initiative \_\_\_\_\_ Initiative of the Architect \_\_\_\_\_

- (v) Did you know that these deviations could be regularised after penalty?

Yes \_\_\_\_\_ NO \_\_\_\_\_

- (vi) If yes how did you come to know that deviations could be regularized/condoned?

- (a) through printed pamphlet of the Corporation.
- (b) through architect.
- (c) through some other source.

36. If these deviations had been included in the original plan, do you think your plan would have been approved?

Yes \_\_\_\_\_ No \_\_\_\_\_ Don't know \_\_\_\_\_

37. (i) Did you apply for the completion certificate?

Yes \_\_\_\_\_ No \_\_\_\_\_

- (ii) If answer is 'yes' could you please tell us as to when you applied for the issue of the Completion Certificate?

\_\_\_\_\_

\_\_\_\_\_

- (iii) If answer is 'no' could please tell us your reasons for not applying for the completion certificate. (Probe)

38. (i) Did you occupy the house wholly or partly, or let it out before obtaining the Completion Certificate?

Occupied \_\_\_\_\_ Wholly \_\_\_\_\_ partly \_\_\_\_\_

Let it out \_\_\_\_\_ Wholly \_\_\_\_\_ Partly \_\_\_\_\_

Did not occupy/Let it out \_\_\_\_\_

- (ii) If answer is 'Yes' are you aware that if the Building is occupied without obtaining the completion certificate, prosecution action can be taken by the Corporation.

Aware \_\_\_\_\_ Not aware \_\_\_\_\_

- (iii) If aware why did you occupy/let it out before obtaining the Completion Certificate?

39. Is there any fee for the Completion Certificate application to be made?

Yes \_\_\_\_\_ No \_\_\_\_\_

40. Did anyone come to check your building after the application for the issue of Completion Certificate was made?

Yes \_\_\_\_\_ No \_\_\_\_\_ Don't know \_\_\_\_\_

41. (i) If yes, how long after the Completion Certificate application was made, did the Building Department staff visit your house?

Within one week \_\_\_\_\_

Within a Fortnight \_\_\_\_\_

Within a Month \_\_\_\_\_

Within six weeks \_\_\_\_\_

- (ii) Were you given any advance information/intimation/ regarding the inspection?

Yes \_\_\_\_\_ No \_\_\_\_\_



(iii) Could you please recollect as to who carried out the Inspections?

Building Inspector/Overseer \_\_\_\_\_

Section Officer \_\_\_\_\_

Zonal Engineer \_\_\_\_\_

Zonal Area Commissioner \_\_\_\_\_

Or more than one officer \_\_\_\_\_  
( Please get details of Inspection/Inspections )

42. Were you or any of your representatives present during the inspection?

Yes \_\_\_\_\_ No \_\_\_\_\_

43. (i) Were any deviations pointed out to you during the course of inspection by the Municipal staff?

Yes \_\_\_\_\_ No \_\_\_\_\_

(ii) If yes, by whom & what?

(iii) Were these deviations confirmed in writing by the Corporation?

Yes \_\_\_\_\_ No \_\_\_\_\_

44. (i) Did the Building Inspector/Section Officer inform you of the approximate amount which you will have to pay for compounding/regularising these deviations?  
(Inspection state at site)

Yes \_\_\_\_\_ No \_\_\_\_\_

(ii) If yes, how much?

\_\_\_\_\_

(iii) Was this fine confirmed in writing by the Corporation?

Yes \_\_\_\_\_ No \_\_\_\_\_

45. Were there any deviations which were required to be pulled down?

Yes \_\_\_\_\_ No \_\_\_\_\_

46. (i) If yes, could you please detail these for us?

(ii) Were any of these deviations

Regularised \_\_\_\_\_ Likely to be regularised \_\_\_\_\_

(iii) Were these actually pulled down? (Please probe)

Yes \_\_\_\_\_ No \_\_\_\_\_

47. Was it suggested to you at any stage that the penalty could be reduced for some consideration,

Yes \_\_\_\_\_ No \_\_\_\_\_

48. If so, could you please tell us the source from which this suggestion came?

(i) \_\_\_\_\_  
(ii) What did you do after this suggestion was conveyed to you? (Please probe)

49. Did you make any efforts to get this penalty reduced/condoned?

Yes \_\_\_\_\_ No \_\_\_\_\_

50. If yes, what were the channels through which these efforts were made?

51. Did you submit any appeal to the Corporation authorities?

Yes \_\_\_\_\_ No \_\_\_\_\_

52. (i) If yes what was the result?

(a) Penalty was reduced \_\_\_\_\_

(b) Penalty was kept the same \_\_\_\_\_

(c) Penalty was increased \_\_\_\_\_

(ii) If no, why did you not make an appeal?

53. How much was the penalty which you finally paid to the corporation?

-----

54. Was an official receipt issued to you for the penalty paid by you?

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55. Could you suggest an appeal procedure for reducing/condoning penalty?

56. (i) When was the completion Certificate issued to you?

-----

56. (ii) How was the Completion Certificate delivered to you?

- 
- (a) Collected from Corporation Office \_\_\_\_\_
- (b) Delivered by post \_\_\_\_\_
- (c) Delivered by B.I./S.O. \_\_\_\_\_
- (d) Delivered by the agent through whom payment to corporation staff was made \_\_\_\_\_
- (e) Through some other source \_\_\_\_\_

57. When did you finally occupy wholly or partly or let out the house?

58. Could you please tell us whether the corruption in obtaining the Completion Certificate is due to any of the following:-

- (i) Corruption will always be there because the public makes deviations from the original plan. ( )
- (ii) Corruption will always be there because the Building Department Staff is used to taking/making money. ( )
- (iii) Corruption will always be there because the Procedures are complicated. ( )
- (iv) Corruption will always be there because the higher officers of the Corporation do not inspect the building. ( )
- (v) Corruption will always be there because the rules are not known/not made known to the public. ( )

(For All )

59. How many Municipal Officials in your opinion are corrupt?

All of them \_\_\_\_\_

Majority of them \_\_\_\_\_

About Half \_\_\_\_\_

A Few \_\_\_\_\_

None \_\_\_\_\_

B5

60. Why do you think they are corrupt?

61. Do you think that corruption can be:-

• eliminated \_\_\_\_\_

reduced \_\_\_\_\_

Nothing can be done \_\_\_\_\_

62. (i) How many officials in the Building Department are corrupt?

All of them \_\_\_\_\_

Majority of them \_\_\_\_\_

About half \_\_\_\_\_

A few \_\_\_\_\_

None \_\_\_\_\_

(ii) Could you please tell us the levels in Bldg. Deptt. at which there is maximum corruption?

63. Now we place some statements before you. Please tell us whether you agree with them or not.

(i) There will always be corruption in our society.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Don't know \_\_\_\_\_

(ii) The salary of the Municipal Officials is low. So they have to take bribe.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Don't know \_\_\_\_\_

63. (iii) Citizens are more responsible for corruption than officials?

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Don't know \_\_\_\_\_

- (iv) The officials of the Municipal Corporation are always courteous and considerate towards the public?

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Don't know \_\_\_\_\_

- (v) The officials of the Corporation are overworked and their working conditions are poor. This contributes to delay and inefficiency, among them.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Don't know \_\_\_\_\_

64. (i) We understand that in a majority of cases, the architect takes all action to get the plan approved. Do you

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Don't know \_\_\_\_\_

- (ii) Do you approve of the present system of architects acting as agents for getting approval for building plans?

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_ Don't know \_\_\_\_\_

(Ask plot-holders of 300 sq. yds. and below only).

- (iii) Do you think, it will help to get the plans approved quickly, if all plans were to be scrutinised by the Headquarters staff?

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Don't know \_\_\_\_\_

(Ask plot-holders of 300 sq. yds. and above).

- (iv) Do you think, it will help to get the plans approved quickly, if all plans were to be sanctioned by the Zonal Staff?

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Don't know \_\_\_\_\_

- (v) Do you think, it will be easier, to get the Completion Certificate, if Headquarters staff was to carry out the Inspection instead of the Zonal Staff?

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Don't know \_\_\_\_\_

- (vi) At present about 50% of the field staff of the Building Department belongs to the clerical cadre. Do you agree that the efficiency of the Department will improve, if clerical staff is replaced by qualified Section Officers.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Don't know \_\_\_\_\_



65. What is your opinion about the working of the Corporation?

Personal Data

66. (i) Locality.

(ii) Age.

20 - 30 yrs.  
31 - 40 yrs.  
41 - 50 yrs.  
51 - 60 yrs.  
61 and above.

(iii) Occupation.

(iv) Income:

Less than 200 p.m.  
201 - 400 p.m.  
401 - 600 p.m.  
601 - 800 p.m.  
801 - 1000 p.m.  
1001 and above.

(v) Education:

Primary \_\_\_\_\_  
Middle \_\_\_\_\_  
Higher Secondary \_\_\_\_\_  
College \_\_\_\_\_  
Graduate \_\_\_\_\_

(vi) Religion:

Hindu \_\_\_\_\_  
Sikh \_\_\_\_\_  
Muslim \_\_\_\_\_  
Christian \_\_\_\_\_  
Any other \_\_\_\_\_

(vii) Caste.

(viii) Marital Status.

(ix) Number of Children.

(x) Any dependents.

Approximate Time taken for the Interview.

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Indian Institute of Public Administration

BUILDING DEPARTMENT SURVEY PROJECT

(Corporation Officials' Questionnaire)

June, 1967

Designation \_\_\_\_\_

Zone \_\_\_\_\_

Interviewer \_\_\_\_\_

Time & Date \_\_\_\_\_



Annexure - II

1. Let's start with some questions about your job.  
I want to be sure I understand your position.  
Can you tell me about the nature of your job  
(Probe for job description as 'R' sees it).

a. Are there any other duties that you have?

b. Which of those duties seem to take most of your time?

c. What is your rank or designation?

d. How long have you worked in this position?

e. How long have you been a Corporation employee?

f. What positions did you have before this one?  
(Career details in chronological order).



- g. Do you find your job very interesting, somewhat interesting; or not interesting?
- h. Do you think this job is in keeping with your qualifications and abilities?
- i. Do you feel that you have enough authority to decide the things you should decide, or not enough authority?
- j. Do you find it at times necessary in your position to relax the procedures to do a more effective job?
- k. Do you find it possible to relax procedures?
- l. Some people like their work, others think of their work as only a means of their livelihood. How do you feel about your work?
- m. Could you tell me a little about your training for this position? Were any efforts made in acquainting you with Delhi Building Bye-laws (Probe to find out as to how he learnt his present job).

n. (If yes) what sort of things were emphasised in this program of training?

o. Was your relationship to the citizen or the public discussed during this training?

p. (if yes) What were you told about the way to deal with the public?

q. Do you think this training has been valuable to you in your Job?

r. In what respects. Can you give any examples of how it has helped you?

2. Now I would like you to tell me a little about the people you work with him. Who is the immediate superior to whom you report? (Name and Designation)

1)

2)

a. About how often do you see him?

b. How well do you know him? (Aside from your official relationship, do you know him personally?)

c. How well does he know your job?

d. What sorts of things does your immediate superior emphasize when he talks to you about your job? (Probe: What sorts of things seem to be most important to him in the way you perform your job?)

e. Has he ever discussed with you the problem of your relationship to citizens and the public, and the way you should deal with them?

f. What sorts of things does he emphasise in discussing your relationship to the public?

g. Have you ever had any differences of opinion with him about the way you should handle the public?

h. Have you ever been warned about your work?

i. (if yes) What was that?

j. Is there an official policy on public relations - on dealing with the public - for your agency? or are there any written rules and regulations in your department regarding dealings with the public?

m. Who is the person at the top of your department?  
(Name & designation)

1)

2)

n. Have you ever met him?

o. Do you think he is aware of the type of work you do?

p. Has he ever talked to the employees like yourself  
about the way in which you should do your job?

q. (If yes) What sorts of things does he talk about?

r. Does he discuss your relationship to the public  
at all - that is, how you should treat the public?

3. Do you think the public makes extra demands on you  
over and above what you do for them in the ordinary  
course of your job?

- b. (if yes) Can you tell me something about the nature of these demands?
- c. Do you think it is necessary for you to explain to citizens the reasons for your decisions/actions?
- d. Some people say that serving the public is most important; others say that following the orders of your superiors is most important. How do you feel this (Probe: if says both ask for the one which is more important of the two?)
- e. Have you ever happened to hear criticisms about the performance of your duties from members of the public?
- f. (if yes) What sorts of things do you criticise you about?



g. (If yes) Do you think this criticism is fair or unfair?

h. How important do you think it is for your particular Zone to get co-operation from the public?

i. To what extent does your department get such public cooperation, in your opinion?

j. Why? (or Why not)? (Ask for both cases)

k. What kinds of cooperation from the public do you think you should get?

l. What percent of the public do you feel would say that people in your type of position are efficient?

- m. And what percent of the public, in your opinion, would say officials like you are courteous in their dealings with the public?
  - n. And what percent do you think would say that officials in your position are corrupt?
  - o. In general, what do you think of your relations with the public - are they good, bad or indifferent?
4. Some people say that a large number of people who work for the Corporation are corrupt. Do you think this is so?
- b. What percent of Corporation employees generally would you say are corrupt?
  - c. What percent of employees in your own zone would you say are corrupt?
  - d. Do you feel that all citizens are treated fairly and equally by the people who work in your zone? or are some types of people treated favourably and other less favourably?

- e. (If discrimination is indicated). What types of people are not treated fairly?
- f. Do you think it is your job to treat everybody fairly, or do you think you have to give some people special treatment?
- g. (If have to discriminate) What groups do you have to favour?
- h. Are there any difficulties or problems in your zone in serving the public? (Please probe for pressures).
- i. (If yes) What are they?
- j. (If yes) What improvements do you suggest?

Executive Engineer & Zonal Engineers only

Sanction of Building Plans

5. What is your opinion about the factors contributing to the delay in sanction of Building Plans?
6. We understand that in a majority of cases, invalid notices are issued to the citizens/Architects. What do you think could be done to eliminate the issue of such invalid notices?
7. What are your suggestions to expedite the sanction of Building Plans?
8. How do you ensure that the latest instructions regarding Building Bye-laws are communicated to your staff?

9. What special efforts have been made to ensure the uniform implementation of the latest instructions in your zone?

Role of Architects

10. What is the procedure and qualifications for the registration of Architects?
11. Could you please suggest as to how the unauthorised architects could be eliminated?
12. Does the Buildings Department communicate to the Architects the amendments and interpretations of the Building Bye-laws?
- (i) If not, why not?

13. What, in your opinion, is the role of architects in so far as corruption in the lower ranks of the Buildings Department is concerned?
14. What kind of cooperation do you expect from architects?

Issue of Completion Certificate

15. We understand that the C.C. is delayed in a majority of cases. Could you please tell us the reasons for the same?
16. How is it that in almost all C.C. cases, the citizen is informed that the house was found locked and he should fix an appointment for inspection?



17. What, in your opinion, are the reasons for the public in not applying for C.C.
18. Does the Corporation ever take action against people who do not apply for C.C.? If so, what?  
(Probe for specific cases).
19. In a majority of C.C. cases the reasons for the penalty are not communicated to the public. Could you please tell us why?
20. What is the remedy open to citizens to appeal for reduction/condoning of penalty imposed for deviating from sanctioned plans?

21. (i) (in case there is no remedy) could you please suggest some appeal machinery for reducing/condoning penalties?

22. There is a general impression that one cannot obtain the C.C. without making some payment to the Inspecting staff. Do you think this is so?

(a) If yes, what in your opinion is the remedy?

23. What measures would you suggest for expediting the issue of C.C.?

For All

24. Now we place some statements before you. Please tell us whether you would agree with them or not.

(i) There will always be corruption in our Society.

Agree\_\_\_\_\_Disagree\_\_\_\_\_Don't know\_\_\_\_\_

- (ii) The salary of Municipal officials is low; so, they have to take bribe.

Agree\_\_\_\_\_Disagree\_\_\_\_\_Don't know\_\_\_\_\_

- (iii) Citizens are more responsible for corruption than officials.

Agree\_\_\_\_\_Disagree\_\_\_\_\_Don't know\_\_\_\_\_

- (iv) The officials of the Corporation are overworked and their working conditions are poor. This contributes to delay and inefficiency among them.

Agree\_\_\_\_\_Disagree\_\_\_\_\_Don't know\_\_\_\_\_

- (v) Do you approve of the present system of architect acting as agents for getting approval of Building Plans?

Approve\_\_\_\_\_Disapprove\_\_\_\_\_Don't know\_\_\_\_\_

Ask Zonal Staff.

- (vi) Do you think, it will help to get the Plans approved quickly, if all plans are to be sanctioned by the Headquarters staff?

Agree\_\_\_\_\_Disagree\_\_\_\_\_Don't know\_\_\_\_\_

Ask Headquarters Staff.

- (vii) Do you think it will help to get the Plans approved quickly, if all plans are to be sanctioned by the Zonal staff?

Agree\_\_\_\_\_Disagree\_\_\_\_\_Don't know\_\_\_\_\_

- (viii) Do you approve of the appointment of qualified Section Officers to deal exclusively with approval of Building Plans and issue of completion certificates?

Approve\_\_\_\_\_Disapprove\_\_\_\_\_No opinion\_\_\_\_\_

- (ix) Do you approve of a Central Cell to maintain records both pertaining to sanction of Plans and C.C.?

Approve\_\_\_\_\_Disapprove\_\_\_\_\_Don't know\_\_\_\_\_

- (x) Do you approve of a Central Cell for checking the C.C. which are issued to the citizens?

Approve\_\_\_\_\_Disapprove\_\_\_\_\_Don't know\_\_\_\_\_

- (xi) At present about 50% of the field staff of the Building Department belongs to the clerical cadre. Do you agree that the efficiency of the Department will improve if clerical staff is replaced by qualified Section Officers?

Agree\_\_\_\_\_Disagree\_\_\_\_\_Don't know\_\_\_\_\_

- (xii) Does it make any difference to your work whether Congress or Jan Sangh is in control of the Corporation?

- (xiii) If yes, in what way has the recent changes affected your Department?

- (xiv) What is your opinion about the working of the Corporation?

Personal Data

25. Age:

20-30 years  
31-40 years  
41-50 years  
51-60 years  
61 & above.

26. Income:

Less than Rs.200/- p.m.

201-400  
401-600  
601-800  
801-1000  
1001 & above

27. Education:

Primary  
Middle  
High School  
Higher Secondary  
College  
Post Graduate.

28. Religion:

Hindu  
Sikh  
Muslim.

Annexure III

Statement of applications received by the Building Department for sanction Building plans, sanitary plans, Completion Certificate cases, C&D forms during the years 1964-65 and 1965-66 (Extract from Municipal Corporation letter dated 8/12/66).

NEW DELHI SOUTH ZONE

	<u>1964-65</u>	<u>1965-66</u>
1. Building Plans	2424	1466
2. Sanitary Plans	319	201
3. C.C. cases	966	1283
4. C&D forms	2160	2192

WEST ZONE

1. Building Plans.	3501	1833
2. Sanitary Plans.	669	500
3. C.C. cases.	995	1466
4. C&D forms.	2826	2530

SHAHADARA ZONE

1. Building Plans	862	503
2. Sanitary Plans	-	-
3. C.C. cases	301	189
4. C&D forms	-	-

HEAD QUARTERS

1. Building Plans	4121*	3691*
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\*NOTE: The Headquarters Office of the Building Department at the Town Hall receives building plans for 300 sq. yards and above. During the years 64-65 and 65-66, it received 4121 and 3691 applications for the sanction of building plans. At the Headquarters, all the applications are entered only in one register, and there is no zonal-wise break-up. As we had decided to confine our survey to the West, New Delhi South and Shahadara Zones, these registers were sorted out, and out of a total of 7812 applications received by the Headquarters, 4965 pertained to these three zones, and hence, this number was included in the total population from which the random sample was drawn.



Annexure - IV

Educational and technical qualifications of the Building Department Staff.

(Copy of letter No.1254 R.B. dated 11.5.67 from Shri K.K. Bhatia, Executive Engineer, (Building)).

<u>S.No.</u>	<u>Categories</u>	<u>Sanctioned strength</u>	<u>Technical Qualifications.</u>
1.	Ex.Engineer(Bldg).	1	Graduate in Civil Engineering.
2.	Asstt.Engr.(Bldg.)	9	- do - or departmentally promoted candidates from among the S.Os having more than 7 years experience;
3.	S.Os	42	Diploma in Civil Engineering.
4.	Draughtsman	1	- do -
5.	Bldg. Inspector (Non-technical)	26	Matric or above Matric.
6.	Clerical indoor staff.	27 L.D.C. 15 U.D.C.	- do - - do -